

**THE
INDIAN ARMS ACT MANUAL,
ASSAM.**



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INTRODUCTION.

This Manual is issued in supersession of the Edition of 1916. Since that Edition the Statutory Rules under the Arms Act have been twice revised and considerable changes have been introduced. The Manual now published has been corrected up to date and is published for the guidance of all officers concerned with the administration of the Arms Act and for the information of the public.

DATED SHILLONG ; }
February 26th, 1927. }

G. E. SOAMES,

*Chief Secretary to the Government
of Assam.*

**CORRECTION SLIP TO THE INDIAN ARMS ACT
MANUAL, ASSAM, 1927.**

No. 68.

In the first column of Schedule I to the Indian Arms Rules, 1924, in clause (g) of entry (6) for the words " Rao Udaibir Singh " the words " Rao Krishna Pal Singh Ju Deo " shall be inserted.

(Government of India, Home Department Notification No. F. 21/41/32-Police, dated the 29th September 1932.)

A. G. P. (G. & J.) No. 43—535—21-1-1933.

THE INDIAN ARMS ACT MANUAL, ASSAM.

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THE INDIAN ARMS ACT MANUAL, ASSAM.

CHAPTER I.

THE INDIAN ARMS ACT, 1878.

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THE FIRST SCHEDULE.—ENACTMENTS REPEALED.

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INDIAN ARMS ACT, 1878.

ACT No. XI OF 1878.

[15th March 1878.]

An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

WHEREAS it is expedient to consolidate and amend the law relating to arms, ammunition and military stores: It is hereby enacted as follows:

Preamble.

I.—Preliminary.

Short title. 1. This Act may be called the Indian Arms Act, 1878; and it extends to the whole of British India.

Local extent.

Savings. But nothing herein contained shall apply to—

- (a) arms, ammunition or military stores on board any sea-going vessel and forming part of her ordinary armament or equipment, or
- (b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government, or by a public servant or a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920, in the course of his duty as such public servant or member.

XLVIII of 1920. XLIX of 1920.

Note.—(1) The Act is in force throughout the Province of Assam except in the Lushai Hills and the Nag Hills districts (*vide* Notifications No. 2143J., dated the 1st June, 1914, and No. 6341G.J., dated the 12th October 1925).

(2) The provisions of the Act have been declared applicable to the British Reserve in Manipur (*vide* Government of India, Foreign Department, Notification No. 533-I.B., dated the 12th March 1909).

(3) Explosives required by a public servant in the course of his duty as such are under section 2(b) of the Arms Act exempt from the operation of the Act and no license is therefore necessary for their importation.—(Home Department letter No. 445, dated the 7th February 1908.)

(4) The sale of arms by the Nazir of the Court in execution of a decree is a sale by public servant in discharge of his duty and is, therefore, excluded from the operation of the Act.—(*Wali Hiraji versus Hira Patel*, I. L. R. 9, Bom. 518.)

2. This Act shall come into force on such day as the Governor General in Council by notification in the Gazette of India appoints.

Commencement.

Note.—(1) The Act came into force on the 1st October 1878.—(Notification No. 1189, dated the 27th June 1878.)

3. On and from that day the enactments mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed, under any enactment hereby repealed, shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

And all such authorities, permissions, licences and exemptions shall, except as otherwise provided by this Act, continue in force for the periods for which they may have been given or granted respectively, or where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect.

4. In this Act, unless there be something repugnant in the Interpretation clause subject or context—

“cannon” includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same :

“arms” includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms and machinery for manufacturing arms :

“ammunition” includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gun-flin's, gun-wads, percussion-caps, fuses and friction tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre :

“military stores” in any section of this Act as applied to any part of British India, means any military stores to which the Governor General in Council may from time to time, by notification in the Gazette of India specially extend such section, in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor General in Council may from time to time so extend such section :

“licence” means a licence granted under this Act, and “licensed” means holding such licence.

Note.—(1) Unless there is something repugnant in the subject or context, wherever the word “Arms” occurs in the Act, it must be read as including “part of arms.” (42 Cal. 1153, *Harash Nath Chatterjee*.)

(2) A revolver with a broken trigger is within the definition of “arms.” (*Queen-Empress versus Jayaram Reddi* I. L. R. 21, Mad 300F. B.)

(3) A gun barrel and nipple in serviceable condition fall within the definition of “arms.” (*Queen versus Vyapuri Kangani*, I. L. R. 7, Mad. 70.)

(4) A swordstick is a "sword" within the meaning of the term in section 4 of the Act. Neither the length, breadth or the form of the blade of a weapon nor the handle affords any certain test of its classification as "Arms." Whatever can be used as an instrument of attack or defence, for cutting as well as for thrusting, and is not an ordinary implement for domestic purposes, falls within the purview of the Act. (*Emperor versus Satish Chandra Roy*, I. L. R. 34, Cal. 749).

(5) A "table knife," however carried or intended to be used is not an arm. (Ruling of the Chief Court of L. B. Criminal Revision No. 356 of 1903, *Crown versus Nga Kya Nyo*.)

(6) Empty cartridge cases are "ammunition" within the meaning of section 4 (32 All. 152—Baldeo Singh).

(7) A gun rendered unserviceable by the loss of trigger does not fall within the definition of "arms" (6 Mad. 60—Sipappa).

(8) A pistol which is out of repairs cannot be regarded as weapon for offence or defence (24 All. 454—Harpal Pai).

(9) A revolver even if it is out of repair or is clogged from disuse is an "arm" (6 P. R. 1908 Cr.—Samiulla).

(10) Although lead is exempt from the operation of section 4, yet when it is moulded into bullets of 20 to 24 bore, it is "ammunition" within the meaning of this section (16 P. R. 1910 Cr. Sant Singh).

II.—*Manufacture, Conversion and Sale.*

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a licence and in the manner and to the extent permitted thereby.

Unlicensed manu-
facture, conversion
and sale prohibited.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police-station notice of the sale and of the purchaser's name and address.

Note.—(1) See Bombay 518, Wali Hiraji, note (4) to section 1.

(2) Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms so that proper steps may be taken by the Police to enforce the requirements of the Indian Arms Act.—[Home Department letter No. 2189, dated the 20th August 1900, and Rule 107 of Chapter I of High Court's General Orders and Circulars (Civil), Volume I.]

(3) The repairing of arms is not manufacture within the meaning of this section and no licence shall be required merely for carrying on the business of repairing arms.—[Home Department Resolution No. 69-2039-50, dated the 15th December 1881].

(4) As regards repairers who keep spare parts of arms as their stock in trade a licence in form X or XII is required (*vide* Rule 14, Chapter IV, page 155.)

III.—*Import, Export and Transport.*

6. No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a licence and in the manner and to the extent permitted by such licence.

Unlicensed import-
ation and exportation
prohibited.

Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon.

Explanation—Arms, ammunition and military stores taken from one part of British India to another by sea or across intervening territory not being part of British India are taken out of and brought into British India, within the meaning of this section.

Note.—(1) The words "lawfully entitled to possess" apply to persons licensed according to law to possess arms, as well as to persons exempted from the operations of sections 13 and 14 of the Act.—(Home Department No. 1024, dated the 17th June 1880, and No. 1862, dated the 14th December 1880.)

(2) The exemption to clause 2 of this section covers only the export of arms and ammunition by a privileged person for his own personal use, not the export of arms and ammunition by other people for the use of privileged person.—(Foreign Department letter No. 1327-1, dated the 23rd March 1891.)

(3) All Magistrates and all Police Officers not below the rank of Inspector are empowered to detain arms or ammunition under this section.—(Assam Administration Notification No. 2443J., dated the 1st June 1914.)

(4) In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878, the Governor General in Council prohibits the bringing or taking by sea or by land into or out of British India of arms, ammunition or military stores as defined in the Indian Arms Act, 1878, except in accordance with the provisions of that Act and orders issued thereunder.—(Commerce and Industry Department Notification No. 5377, dated the 26th July 1919.)

VII of 1878.

7. Notwithstanding anything contained in the Sea Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the Local Government.

Sanction of Local Government required to warehousing of arms, etc.

8. [*Levy of duties on arms, etc., imported by sea*] *Repealed by the Repealing and Amending Act, 1891 (XII of 1891).*

9. [*Power to impose duty on imports by land.*] *Repealed by the Repealing and Amending Act, 1891 (XII of 1891).*

10. The Governor General in Council may, from time to time, by notification in the Gazette of India—

Power to prohibit transport.

- (a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of British India or any part thereof, either altogether or except under a licence and to the extent and in the manner permitted by such licence, and
- (b) cancel any such notification.

Explanation.—Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section.

Transshipment of arms.

11. The Local Government, with the previous sanction of the Governor General in Council, may, at any places along the boundary-line between British India and foreign territory and at such distance within such line as it deems expedient, establish searching-posts at which all vessels, carts and baggage animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officers empowered by such Government in this behalf by name or in virtue of his office.

Power to establish searching stations.

12. When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Arrest of persons conveying arms, etc., under suspicious circumstances.

Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-officer, shall be delivered over as soon as possible to a Police-officer.

Procedure where arrest made by person not a Magistrate or a Police-officer.

All persons apprehended by, or delivered to, a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

IV.— Going armed and possessing Arms, etc.

13. No person shall go armed with any arms except under a licence and to the extent and in the manner permitted thereby.

Prohibition of going armed without licence.

Any person so going armed without a licence or in contravention of its provisions may be disarmed by any Magistrate, Police-officer or other person empowered by the Local Government in this behalf by name or by virtue of his office.

14. No person shall have in his possession or under his control any cannon or fire-arms or any ammunition or military stores, except under a licence and in the manner and to the extent permitted thereby.

Unlicensed possession of fire-arms, etc.

[Temporary provisions.] Repealed by the Repealing and Amending Act, 1891, XII of 1891.

Note.—For definition of fire-arms, see Harshanath Chatterji *versus* Emperor, I. L. R. 42, Cal. 1153, and Khagendra Nath Chaudhuri *versus* Emperor, 19 C. W. N. 706.

15. In any place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or to which the Local Government, with the previous sanction of the Governor General in Council, may by notification in the local official Gazette specially extend this section, no person shall have in his possession any arms of any description, except under a license and in the manner and to the extent permitted thereby.

Possession of arms of any description without licence prohibited in certain places.

Note.—The following notifications have been published by the Government of Assam :—

In exercise of the powers conferred by section 15 of the Indian Arms Act, 1878 (XI of 1878), and with the previous sanction of the Governor General in Council, the Governor in Council is pleased to extend section 15 of the said Act to all districts in the Province of Assam and to declare that with effect from the 23rd March 1923, no person of these districts shall have in his possession any arms of any description except under a license and in the manner and to the extent permitted thereby.

Provided that in respect of bayonets other than those lawfully possessed in virtue of an exemption under schedule I of the Indian Arms Rules, 1920, the above notification shall not affect nor apply to any exemption granted under the Indian Arms Rules, 1920, and in force at the said date, namely, the 23rd March 1923.—(Judicial Department Notification No. 1183G. J., dated the 22nd March 1923.)

In exercise of the power conferred by proviso in column 3 of item 1 of the table in Schedule II referred to in rule 3 of the Indian Arms Rules, 1920, published under the Government of India, Home Department, Notification No. 1, dated the 1st January 1920, the Governor in Council is pleased to retain the prohibitions and directions contained in sections 5 and 6 of the Indian Arms Act, 1878 (XI of 1878), in respect of bayonets in all districts in the Province of Assam, and to declare that no person in this province—

(a) shall manufacture, convert or sell, or keep, offer or expose for sale, or

(b) shall bring or take by sea or by land into or out of this province bayonets, except under a license and in the manner and to the extent permitted thereby.—(Judicial Department Notification 1184G. J., dated the 22nd March 1923.)

***16. (1) Any person possessing arms, ammunition or military stores the possession whereof has, in consequence of the cancellation or expiry of a license or of an exemption or by the issue of a notification under section 15 or otherwise, become unlawful, shall without unnecessary delay deposit the**

In certain cases arms to be deposited at police stations or with licensed dealers.

* Substituted by the Indian Arms (Amendment) Act, 1919 (XX of 1919).

same either with the officer in charge of the nearest police station or, at his option and subject to such conditions as the Local Government may by rule prescribe, with a licensed dealer.

(2) When arms, ammunition or military stores have been deposited under sub-section (1) or, before the first day of January, 1920, under the provisions of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the Local Government may by rule prescribe, be entitled—

- (a) to receive back anything so deposited the possession of which by him has become lawful, and
- (b) to dispose, or authorise the disposal, of anything so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale :

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of anything the confiscation of which has been directed under section 24.

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to His Majesty.

4. (a) The Local Government may make rules consistent with this Act for carrying into effect the provisions of this section.

(b) In particular and without prejudice to the generality of the foregoing provision the Local Government may by rule prescribe—

- (i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and
- (ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).

Note.—(1) All arms and ammunition and military stores deposited at a police station in accordance with the provisions of section 16 of the Act shall be at once sent to the Magistrate of the district in which the police station is situated. The Magistrate shall then store the arms, etc., in safe custody.—(Notification No. 2443J., dated the 1st June 1914.)

(2) For rules made under this section, *vide* Notification No. 3644J., dated the 19th April 1920, at page 172.

V.—Licences.

17. The Governor General in Council may, from time to time by notification in the Gazette of India, make rules to determine the officers by whom, the form in which, and the terms and conditions, on and subject to which, any licence shall be granted; and may by such rules among other matters—

Power to make rules
as to licences.

- (a) fix the period for which such licence shall continue in force;
- (b) fix a fee payable by stamp or otherwise in respect of any such licence granted in a place to which section 32, clause 2, of Act No. XXXI of 1860, applies at the time this Act comes into force, or in respect of any such licence other than a licence for possession granted in any other place;
- (c) direct that the holder of any such licence other than a licence for possession shall keep a record or account, in such form as the Local Government may prescribe, of anything done under such licence, and exhibit such record or account when called upon by an officer of Government to do so;
- (d) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a licence of the description referred to in section 5 or section 6;
- (e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered; and
- (f) require the person holding any licence or acting under any licence to produce the same and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do.

Notes.—(1) The rules made by the Governor General in Council under this section are contained in the Indian Arms Rules, 1924.

(2) The registers prescribed by the Assam Administration under clause (c) of this section are:—

- (a) Monthly return of the stock and sales of arms and ammunition.
- (b) Sale book of arms.
- (c) Sale book of ammunition.

These registers shall be in the prescribed forms. In addition, all licensed vendors must keep a detailed stock account of arms and ammunition (Notification No. 2442J., dated the 1st June 1914).

(3) Sub-Inspectors of Police have been authorized by the Government of Assam to enter and inspect the premises of licensed dealers in arms and ammunition, *vide* notification No. 692G., dated the 29th January 1910, at page 160 (paragraph 26) [*vide* also Rule 28 (4) of the Arms Rules, 1924.]

Cancelling and
suspension of licence.

18. Any licence may be cancelled or suspended—

- (a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a District, or Commissioner of Police in a Presidency town, within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing, such officer, authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such license; or
- (b) by any Judge or Magistrate before whom the holder of such licence is convicted of an offence against this Act, or against the rules made under this Act; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licences throughout the whole or any portion of the territories under its administration.

VI.—Penalties.

¹ For breach of sections 5, 6, 10, 13 to 17.

19. Whoever commits any of the following

offences, namely :—

- (a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5;
- (b) fails to give notice as required by the same section;
- (c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6;
- (d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10;
- (e) goes armed in contravention of the provisions of section 13;
- (f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15;
- (g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep;

(A) intentionally fails to exhibit anything which, by a rule made under section 17, clause (e), he is required to exhibit; or,

(i) fails to deposit arms, ammunition or military stores, as required by section 14 or section 16;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Note.—(1) Police officer may arrest without warrant; bailable.

(2) For conviction under section 19 (f), cf. 3, C. W. N. 394; I. L. R. 20, Cal. 444; I. L. R. 35, Cal. 219; I. L. R. 34, All. 454; I. L. R. 27, Cal. 692; I. L. R. 41, Cal. 11; I. L. R. 42, Cal. 1153; 15 C. W. N. 440 and 19 C. W. N. 706.

20. Whoever does any act mentioned in clause (a), (e), (d) or (f) of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

For secret breaches of sections 5, 6, 10, 14 and 15.

and whoever, on any search being made under section 25, conceals or attempts to conceal any arm, ammunition or military stores

shall be punished with imprisonment for term which may extend to seven years, or with fine, or with both.

Note.—(1) Police may arrest without a warrant, not bailable (*vide* I. L. R. 27, Cal. 692, and I. L. R. 28, All. 302).

For element necessary to constitute an offence under section 20—*see* 19 A. C. W. 706 [Chapter VB No. 19].

21. Whoever, in violation of a condition subject to which a licence has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Note.—Police shall not arrest without a warrant; bailable.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5 to sell the same; or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same;

For knowingly purchasing arms, etc., from unlicensed person.

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Note.—Police shall not arrest without a warrant; bailable—*vide* I. L. R.—24 Bom. 423.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Note.—Police shall not arrest without a warrant ; bailable.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale shall be confiscated.

Note.—(1) All arms, ammunition, military stores, vessels, carts, baggage, animals, boxes, packages, or bales, or other articles forfeited or confiscated in accordance with the provisions of the Act, shall ordinarily be disposed of by the District Magistrate at his discretion unless otherwise specially directed by the Chief Commissioner.—(Notification No. 2443J., dated the 1st June 1914.)

(2) For rules for the disposal of arms, ammunition and military stores confiscated or forfeited under any enactment, *vide* Chapter IV at page 171.

VII.—Miscellaneous.

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by licence, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of some officer specially empowered in this behalf by name or in virtue of his office by the Local Government.

Note.—(1) The Government of Assam have empowered Police Officers not below the rank of Inspectors, and Mamaddars in the Assam Valley Districts, to conduct searches under this section.

(2) *Search and seizure by Magistrate.*—*Vide* I. L. R. 17, Cal. 699—Ahmad Hussain versus Queen-Empress and I. L. R. 36, Cal. 433—Clarke versus Brojendra Kishor Roy Chaudhuri.

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Seizure and detention by Local Government.

27. The Governor General in Council may, from time to time by notification, published in the Gazette of India,—

Power to exempt.

(a) exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or ammunition, or withdraw any part of British India from the operation of any prohibition or direction contained in this Act ; and

(b) cancel any such notification, and again subject the persons or things or the part of British India comprised therein to the operation of such prohibition or direction.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police officer or Magistrate, and

Information to be given regarding offences.

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police-officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

Note.—All arms, ammunition and articles of this nature found among unclaimed property in the possession of a railway company should be sent to the nearest Magistrate for sale on the understanding that the sale-proceeds will be made over to the Railway Administration.—(Vide Government of India letter No. 2106S.T., dated the 2nd December 1908.)

29. Where an offence punishable under section 19, clause (f), has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2, of Act XXXI of 1860 applies at such date or where such an offence has been

Sanction required to certain proceedings under section 19, clause (f).

committed in any part of British India not being such a district, province or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the district or, in a Presidency-town, of the Commissioner of Police.

80. Where a search is to be made under the Code of Criminal Procedure, or the Presidency Magistrates Act, 1877, in the course of any proceedings instituted in respect of an offence punishable under section 19, clause (f), such search shall, notwithstanding anything contained in the said Code or Act, be made in the presence of some officer specially appointed by name or in virtue of his office by the Local Government in this behalf and not otherwise.

Searches in the case of offences against section 19, clause (f) how conducted.

VI of 1877.

Note.—(1) All Magistrates and Police-officers of and above the rank of Sub-Inspector have been appointed under this section as officers in whose presence such searches may be made.—(Vide Notification No. 2622G., dated the 27th April 1910.)

31. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it or from being liable under such other law to any higher punishment or penalty than that provided by this Act: Provided that no person shall be punished twice for the same offence.

Operation of other laws not barred.

32. The Local Government may from time to time, by notification in the local official Gazette, direct a census to be taken of all fire-arms in any local area, and empower any person by name or in virtue of his office to take such census.

Power to take census of fire-arms.

On the issue of any such notification all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

Notice and limitation of proceeding.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

(SEE SECTION 8.)

Number and year.	Title.	Extent of Repeal.
XVIII of 1841 ...	An Act for consolidating and amending the enactments concerning the exportation of military stores.	So much as has not been repealed.
XXX of 1854 ...	An Act to provide for the levy of duties of Customs in the Arakan, Pegu, Martaban and Tenasserim Provinces.	In the preamble the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section 11.
XXI of 1860 ...	An Act relating to the manufacture, importation, and sale of arms and ammunition, and for regulating the right to keep and use the same, and to keep power of disarming in certain cases.	So much as has not been repealed.
VI of 1866 ...	An Act to continue Act No. XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same and to give power of disarming in certain cases) and for other purposes.	The whole.
III of 1872 ...	The Sonthal Parganas Settlement Regulation.	So much of the schedule as relates to Act XXXI of 1860 and Act VI of 1866.
IX of 1874 ...	The Arakan Hills District Laws Regulation, 1874.	So much of the schedule as relates to Act XVIII of 1841.
XV of 1874 ...	An Act for declaring the local extent of certain enactments and for other purposes.	So much of the first schedule as relates to Act XVIII of 1841.

THE SECOND SCHEDULE.

ARMS, ETC., LIABLE TO DUTY.

[*Repealed by the Repealing and Amending Act, 1891 (XII of 1891).*]

CHAPTER II.

THE INDIAN ARMS RULES, 1924.

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INDIAN ARMS RULES, 1924.

HOME DEPARTMENT.

NOTIFICATION.

POLICE.

Delhi, the 3rd November 1923.

No. F.-829-I.-23.—In exercise of the powers conferred by sections 4, 10, 17, and 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to make the following rules:—

Short title. 1. (1) These rules may be called the Indian Arms Rules, 1924.

(2) They shall come into force on the 1st January 1924.

2. (1) In these rules, unless there is anything repugnant in the subject or context,—“District Magistrate”

Interpretation. means, in the case of Aden, the Assistant Political Resident: in the case of the suburbs of Calcutta, as defined in the Government of Bengal Notification, dated 21st September 1880, the Commissioner of Police, Calcutta, and, in cases where the Local Government so directs in respect of any district or part thereof, an Additional District Magistrate;

“Form” means a Form as set out in Schedule VIII; and XI of 1878.

“the Act” means the Indian Arms Act, 1878.

(2) The General Clauses Act, 1897, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of interpretation of an Act of the Governor General in Council.

Application of the Act.

3. (1) The persons and classes of persons, the arms and ammunition, and the parts of British India, specified or described in Schedules I to IV are, respectively, exempted, excluded and withdrawn to the extent and subject to the conditions therein specified from the operation of prohibitions and directions contained in the Act:

Exemption, exclusion and withdrawal.

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely:—

- (a) they shall not be deemed to render lawful the import of arms or ammunition, save from Berar, or the transport within the Province of Burma of arms, ammunition or military stores through the medium of the Post Office;
- (b) save in the case of persons included in entry 1(b), entry 2 or entry 6 (e) of the said schedule, any person so exempted shall register, in such manner as the Local Government may prescribe, any firearm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Act;
- (c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station; and
- (d) the Governor General in Council may, by notification in the Gazette of India, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

Notes:—(1) His Excellency the Governor in Council, in exercise of the powers conferred by entry (6) of the table sub-joined to Schedule I of the Indian Arms Rules, 1924, is pleased to designate the Rajas of Bijni and Sidli and Raja Prabhat Chandra Barua of Gauripur as persons included in the category covered by sub-clause (e) of that entry and to order that the number of retainers to be permitted shall be ten in the case of the Raja Prabhat Chandra Barua and two in the case of the Raja of Sidli. ...
... Each retainer shall be permitted to carry one smooth-bore gun which will require to be registered annually under sub-clause (b) in the third column against the aforesaid entry (6).

The exemptions from the provisions of the Arms Act conferred in the table sub-joined to the aforesaid Schedule I are subject to the provisions of provisos (b) and (c) to rule 3 of the Indian Arms Rules, 1924.

[Assam Government letter No. C.P.40—444G.J., dated the 31st January 1924.]

(2) In exercise of the power conferred by the proviso to rule 3, sub-rule (1), of the Indian Arms Rules, 1924, issued by the Government of India in the Home Department Notification, No. F-829-I-22, dated the 3rd November 1923, and in supersession of the Judicial Department Notification No. 3917J., dated the 27th April 1920, the Governor in Council is pleased to direct that all persons resident in Assam, who are exempted from the operation of all or any prohibitions and directions contained in the

Indian Arms Act, 1878 (XI of 1878), and are referred to in Schedule I to the aforesaid Arms Rules, shall register the firearms in respect of which they are exempt in the manner prescribed by the following rules:—

1. Every exempted person shall enter all arms in his possession in the form prescribed in the schedule hereto and shall forward the same to the District Magistrate of the district in which he ordinarily resides. The form may be obtained on application from the office of the District Magistrate.

2. An exempted person shall forthwith report to the District Magistrate in the aforesaid form any subsequent increase in the number of arms in his possession. He shall similarly report any reduction in the number already registered due to sale, loss or theft of arms in his possession. He shall also report any change in class due to the conversion of any such arms.

3. An exempted person shall report any permanent change of his residence to the District Magistrate of the district where he originally registered the arms in his possession under rule 1.

4. An exempted person arriving from another province for permanent residence in this province shall register the firearms in his possession in the manner prescribed in rule 1 above.

5. Failure to comply with these rules shall render the exempted person liable to the cancellation of his exemption.

Return of Arms in the possession of exempted persons.

Name and address of the exempted person.	Number of each class of arms in possession, <i>i.e.</i> , Rifles, Smooth-bore, Revolvers or Pistols.	Description and bore with maker's name and number on barrel or stock or both.	Whether muzzle or breech-loading.	Whether single or double barrel and in case of revolvers, number of chambers.	Whether single shot or magazine (a).	The name of the dealer or person from whom obtained, with approximate date. (b)	Remarks.
1	2	3	4	5	6	7	8
							Signature of the exempted person or his Agent.

(a) If repeating, the capacity of the magazine should be stated in the remarks column in the case of Rifles and Pistols.

(b) In the case of revolvers and pistols all marks stating the part of the weapon on which they are stamped should be described in full.

[Assam Government Notification No. 808G.J., dated the 25th February 1924.]

(3) For further details, see section VII in Chapter IV.

(4) See paragraph 1 in Chapter III.

4. For the purposes of the definition of "military stores" in section 4 of the Act all sections of the Act are

Extended.
extended throughout British India to all lead, sulphur and saltpetre.

Import.

5. (1) A licence for the import of—

Restriction upon
import of cannon and
certain other articles.

(a) cannon,

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent—

(a) where the articles are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

6. A licence shall not be granted for the import of any arms,

Restriction upon
import of arms, am-
munition and military
stores from Portuguese
India.

ammunition or military stores from Portuguese

India :

Provided that nothing in this rule shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the import of ammunition which, in the opinion of the authority granting the licence, is intended in good faith for blasting purposes.

7. (1) A licence shall not be granted for the import by sea or

Restriction upon
import of certain rifles.

by river or land, save from Berar,

(a) of rifles of .303 or of .450 bore or of pistols or revolvers of .441, .455 or any intermediate bore or of parts of or fittings for rifles, pistols or revolvers of such bores or, save as otherwise provided by rule 38, of ammunition which can be fired from such rifles, pistols or revolvers or of appliances the object of which is the silencing of fire-arms ; or

- (b) save with the previous sanction of the Governor General in Council, of rifles, or parts of or fittings for rifles, of any other bore ; or
- (c) of any arms or ammunition through the medium of the Post Office.

(2) Nothing in clause (b) of sub-rule (1) shall be deemed to limit or otherwise affect any power conferred by these rules to grant, save as otherwise provided by rule 6, a licence for the import of rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

Note.—(1) Rifles of prohibited bores imported into India in ignorance of the rules by *bona fide* travellers, whose stay in India will not exceed six months, may be detained by the Collector of Sea Customs, who will forward them at the owner's expense to the port from which the traveller proposes to leave India, there to be kept in bond until claimed by him.—[Government of India memorandum No. 798, dated the 26th March 1908.]

Note.—(2) The sights of guns and rifles should be regarded as parts of arms within the meaning of the Indian Arms Act, 1878. The sights for rifles of .303 bore fall accordingly within the restriction imposed by rule 8 (1) (a) [7 (1) (a) of Arms Rules, 1924] of the Indian Arms Rules upon the importation of rifles, or parts of such rifles, of such bore.—[Home Department letter No. 900, dated the 1st May 1911.]

8. Save as otherwise provided by rules 5 to 7, a licence may

Import of arms,
ammunition or military
stores into certain
ports.

be granted in Form II for the import
by sea—

- (a) of arms, ammunition or military stores, at a Presidency-town or Rangoon—by the Commissioner of Police ;
- (b) of arms, ammunition or military stores, at the ports of Calicut, Karachi and Aden—by the District Magistrate ;
- (c) of saltpetre or lead, at the ports of Akyab and Moulmein—by the District Magistrate ; and
- (d) of sulphur in reasonable quantities, at the port of Tuticorin—by the Local Government on satisfactory proof that the sulphur is required in good faith for medicinal, manufacturing or agricultural purposes :

Provided that all arms, ammunition or military stores imported into Aden shall be landed at the Abkari Pier at Tawahi only, and removed thence by the importer to such Government warehouse as the Political Resident may appoint in that behalf.

9. Save as otherwise provided by rules 5 to 7, a licence for the import by sea of arms, ammunition or military stores—
 Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports.

- (a) from the port of Madras into the ports of Tuticorin, Cochin, Bimlipatam, Cocanada, Negapatam, Mangalore, Gopalpore, Vizagapatam, Pamban, or Masulipatam, or
- (b) from the port of Rangoon into the ports of Akyab, Moulmein, Sandoway, Kyaukpyu, Tavoy, Mergui, or Victoria Point, or
- (c) from the port of Bombay into the ports of Cochin or Mangalore,

may be granted in Form II by the District Magistrate of the district in which the port of import is situated.

10. (1) Save as otherwise provided by rules 5 to 7, a licence for the import by land or river of arms, ammunition or military stores may be granted in Form III—
 Import by land or river of arms, ammunition or military stores.

- (a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—by the Commissioner of Police, or
- (b) where they are consigned to any other place—by the District Magistrate of the district in which such place is situated.

(2) Such a licence may be granted for the import of arms which—

- (a) belong to any person who resides in a State in India and is exempted under Schedule I from the necessity of taking out a licence for going armed with, or for possessing, such arms, and
- (b) are imported solely for the purpose of repair,

by the Political Officer for such State; and such licence shall also cover the re-export of such arms to the State from which they were imported.

(3) Where the arms, ammunition or stores are imported from a State in India otherwise than under sub-rule (2), a copy of the licence shall forthwith be sent to the Political Officer for such State.

(4) Where the arms, ammunition or stores are imported by road or river from elsewhere than Berar and are consigned to a district not on the frontier of British India, a copy of the licence shall forthwith be sent to the District Magistrate of the district into which they cross such frontier; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to be taken out of the district.

(5) (a) Where the arms, ammunition or stores are imported by land or river from Berar under a licence, the importer shall deliver the licence, within six days of the arrival of the consignment at its destination,—

(i) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(ii) in any other place—to the District Magistrate of the district in which the place of destination is situated, or such other Magistrate as the District Magistrate may appoint for this purpose.

(b) Any officer to whom a licence is delivered under clause (a) shall satisfy himself—

(i) that the arms, ammunition or military stores correspond with the description given in the licence, and

(ii) that any deficiency is properly accounted for, and any subordinate Magistrate to whom a licence is delivered under sub-clause (ii) of that clause shall forward it to the District Magistrate.

(6) Where the arms, ammunition or stores are imported by rail, a copy of the licence shall forthwith be sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

11. A certified copy of a licence to export from Berar into British India arms, ammunition or military stores granted under the Berar Arms Rules, 1924, shall be deemed to be a licence for import into British India granted under these rules.

12. (1) The railway authorities to whom a copy of a licence has been sent under sub-rule (6) of rule 10 shall require the consignee to produce the original licence and shall satisfy themselves—

Scrutiny by railway authorities of consignments.

(a) that the arms, ammunition or stores claimed by him correspond with the description given in such licence, and

(b) that such licence is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

(a) the consignee fails to produce the original licence, or

(b) the arms, ammunition or stores claimed by him do not correspond with the description given in such licence, or

(c) the licence is not identical in substance with the copy sent to the railway authorities, such authorities shall not deliver the consignment and shall forthwith inform the nearest Magistrate.

13. (1) The consignee of arms, ammunition or military stores

Production and delivery of import licences.

imported under a licence from elsewhere than

Berar shall—

(a) where the consignment crosses the frontier by land or river, produce the licence within six days of such crossing before the District Magistrate of the district into which the consignment so crosses, or before such other officer as the District Magistrate may appoint in that behalf; and

(b) in any case in which the consignment is imported by land or river, deliver the licence within six days of the arrival of such consignment at its destination—

(i) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(ii) in any other place—to the District Magistrate of the district in which such place is situated.

(2) Every officer before whom a licence is produced or to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence; and

(b) that any deficiency is properly accounted for.

Export.

Restriction upon export by sea of cannon and certain rifles.

14. (1) A licence for the export by sea of—

(a) cannon, or

(b) rifles, or parts of or fittings for rifles,

may be granted in Form IV or Form V only by, or with the previous sanction of the Governor General in Council :

Provided that nothing in this rule shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the export by sea of rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

15. (1) Subject to the provisions of rule 14, a licence for the

Export by sea of arms, ammunition or military stores from and to certain ports.

export by sea of arms, ammunition or military

stores may be granted in Form IV—

(a) at a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) at the port of Calicut, Karachi, Dhanushkodi, Tuticorin or Aden—by the District Magistrate.

(2) Save as otherwise provided in sub-rule (3), every licence granted under sub-rule (1) shall be for export either—

(a) to such one of the ports specified in clause (a) or clause (b) of sub-rule (1), or

(b) in the case of export from the port of Madras—to such one of the ports mentioned in clause (a) of rule 9, or

(c) in the case of export from the port of Rangoon—to such one of the ports mentioned in clause (b) of rule 9, or

(d) in the case of export from the port of Bombay—to such one of the ports mentioned in clause (c) of rule 9, or

(e) to such other place in His Majesty's dominions outside India,

as may be specified or described in the licence.

(3) A licence may be granted at any of the ports mentioned in clause (a) or clause (b) of sub-rule (1) for the export by sea of saltpetre or lead to the ports of Akvab or Moulmein.

(4) A copy of every licence of the nature referred to in clauses (a), (b), (c) and (d) of sub-rule (2) and in sub-rule (3) shall forthwith be sent—

(a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

16. (1) (a) A licence for the export by sea of arms, ammunition or military stores from any of the ports of Madras, Bombay, Calcutta, Rangoon, Calicut, Karachi or Aden to any port in a State in India or other foreign territory may be granted in Form V by the Governor General in Council :

Export by sea of arms, ammunition or military stores from certain ports to ports in States in India or foreign territory.

Provided that a licence shall not be granted for export to a port on the sea-board of Arabia other than a port in the political charge of the Political Resident at Aden or of the Political Resident in the Persian Gulf.

(b) A licence for the export by sea of arms (other than arms in respect of which the restriction imposed by rule 14 applies), ammunition or military store may be granted in Form V by any of the officers specified in the first column of Schedule V when the arms, ammunition or stores are to be exported from a port specified in the corresponding entry of the second column to a port specified in the corresponding entry of the third column thereof, subject in each case to the conditions specified in the fourth column.

(2) A copy of every licence issued under this rule for the export of arms, ammunition or military stores to any port in a State in India or to any port in the political charge of the Political Resident at Aden or of the Political Resident in the Persian Gulf shall forthwith be sent by the authority granting it to the Political Officer or the Political Resident concerned.

(3) The authority granting a licence under this rule shall also send a copy of such licence to the agent or master of the vessel by which it is intended that the arms, ammunition or military stores covered by the licence shall be shipped, and such agent or master shall not receive for despatch any case or package

containing arms, ammunition or military stores unless such case or package is accompanied by the original licence, and shall satisfy himself—

- (a) that the arms, ammunition or stores correspond with the description given in such licence, and
- (b) that such licence is identical in substance with the copy sent to him.
- (4) Where in any case referred to in sub-rule (3)—
 - (a) the case or package is not accompanied by the original licence, or
 - (b) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or
 - (c) the licence is not identical in substance with the copy sent to him,

such agent or master shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

17. (1) A license for the export by land or river of arms, ammunition or military stores to any place outside British India may be granted in Form VI—

Export by land or
river of arms, ammun-
ition or military
stores

- (a) by the Governor General in Council, or
- (b) by any of the officers specified in the first column of Schedule VI when the arms, ammunition or stores are to be exported to a place specified in the corresponding entry of the second column, subject in each case to the conditions specified in the third column.

(2) A license for the export by land or river of arms, ammunition or military stores to a State in India in political relations with a Local Government may be granted under the signature of a Secretary to such Government, or by such other officer as may be empowered by the Governor General in Council in that behalf.

(3) Where any arms, ammunition or stores are exported to a State in India under a licence granted under this rule by any authority other than the Political Officer for such State, a copy of such licence shall forthwith be sent to such Political Officer.

Where the arms, ammunition or stores are exported by road or river, a copy of the license shall forthwith be sent to the District Magistrate of the district out of which they cross the frontier of British India; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(b) (a) Where the arms, ammunition or stores are exported by rail, a copy of the licence shall forthwith be sent by the authority granting it,—

(i) in the case of a consignment despatched from a Presidency-town or Rangoon—to the Commissioner of Police, and

(ii) in all other cases—to the District Magistrate of the district from which the consignment is to be despatched.

(b) The Commissioner of Police or District Magistrate shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched; and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence, and shall satisfy themselves—

(i) that the arms, ammunition or stores correspond with the description given in such licence, and

(ii) that such licence is identical in substance with the copy sent to them.

(c) Where in any case referred to in clause (b)—

(i) the case or package is not accompanied by the original licence, or

(ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(iii) the licence is not identical in substance with the copy sent to them,

such authorities shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

(d) Where the arms, ammunition or stores are exported by rail to Berar, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station.

18. A certified copy of a licence to import from British India into Berar arms, ammunition or military stores, granted under the Berar Arms Rules, 1924, shall be deemed to be a licence for export from British India granted under these rules.

19. (1) Where any arms, ammunition or military stores are exported by road or river, the licence shall, within six days of the arrival of the consignment in the district out of which it is to cross

Delivery of export licences.

the frontier and before it so crosses, be delivered to the District Magistrate of such district, or to such other officer as the District Magistrate may appoint for this purpose.

(2) Every officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for.

Note.—No licence is required for the export of arms, ammunition or military stores issued to Native States from British arsenals under the orders of Government. Each consignment, however, should be covered by a certificate signed by the officer in charge of the arsenal to the effect that it is exported by order of Government under section 1(b) of the Act.—(Foreign Department No. 1816-I, dated the 2nd June 1890)

Import and Re-export.

20. Where a vessel bound for a port other than a port in British India calls at any port in British India in the course of its voyage, and there remains for a period exceeding forty-eight hours, any arms, ammunition or military stores in the possession of any passenger not exempted from liability to take out a licence in respect of such possession shall be delivered by him to the Customs-Collector to be detained until the departure by sea of such passenger, and it shall not be necessary for such passenger to take out any licence in respect of arms, ammunition or military stores so delivered and detained.

Import and re-export by sea of arms, ammunition and military stores.

Transport.

21. The transmission by post within the Province of Burma of arms, ammunition or military stores is prohibited.

Prohibition of transport by post of arms, ammunition or military stores within the Province of Burma.

22. (1) Save as herein otherwise provided, the transport of arms, ammunition or military stores is prohibited over the whole of British India, except under a licence and to the extent and in the manner permitted by such licence.

Prohibition of transport of arms, ammunition or military stores otherwise than under licence.

(2) Nothing in sub-rule (1) shall be deemed to apply—

(a) to arms and ammunition transported personally or as personal luggage in reasonable quantities for his own use by any person lawfully entitled to possess arms or go armed;

or, subject to the provisions of rule 39 and save in the case of arms or ammunition consigned to any place in the province of Ajmer-Merwara from outside the province,

(b) to arms, ammunition or military stores which are covered by a licence for their export or import and are being transported by a licensed dealer in accordance with such licence—

(i) from the place of despatch in British India to the port or other place of export or from the port or other place of import to the place of destination; or

(ii) by transshipment in the port of import for re-export by sea; or

(c) to arms, ammunition or military stores transported—

(i) by any person licenced to possess such articles or exempted from the liability to obtain such licence, where such articles are transported in reasonable quantities for his own use from the premises of a licenced dealer, or are transported for purposes of examination or repair to or from any such premises or are transported to any other person so licensed or exempted as aforesaid;

(ii) by a licenced dealer, where such articles are transported in a case or package legibly addressed to such a person as is referred to in sub-clause (i), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use.

Note.—(1) In the transmission of arms, ammunition, and military stores from one British district to another through foreign territory the procedure prescribed is that both an export and import license, in the regular form, should be taken out, the export license for the transmission of the consignment to foreign territory, and the import license to cover its reconveyance into British territory.

Whenever such a case arises, a copy of the original license for export should be communicated to the Magistrate of the place to which the consignment is ultimately destined.—[Foreign Department No. 2864-I., dated the 29th June 1897.]

(2) In order to avoid the possibility of transport licenses being used more than once, the time for which such licenses are valid should invariably be entered in the proper column of the license and should, specially in the case of arms, ammunition, or military

stores licensed for transport through any part of British India to the Frontier, be carefully restricted to such period as may be considered reasonable.—[Home Department letter No. 44—1787, dated the 23rd September 1878.]

(3) See also Rule 43 (2) of these rules.

(4) Although the word "transport" as used in the Indian Arms Act, 1878 (XI of 1878), would, in a certain sense, include every movement from place to place, yet the Government of India consider that, looking to the general objects of the Act, and the difficulties which might result from construing the word in its widest sense, it is reasonable to attach to it a more restricted meaning, which it would not, perhaps, be easy to define precisely, but which would certainly not include such movement as the removal of arms from a warehouse to a shop in the same town, or the landing of arms imported. Under such restricted interpretation of the term no license is required for the removal of ammunition from one magazine and warehouse to another in the same locality.—[Home Department No. 88—2955, dated the 9th November 1885.]

(5) See also note (1) to section 6 of the Indian Arms Act, 1878.

23. (1) A licence for the transport of—

Restriction upon
transport of cannon
and certain other
articles.

- (a) cannon,
 - (b) articles designed for torpedo service,
 - (c) war-rockets, or
 - (d) machinery for the manufacture of arms or ammunition,
- may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent—

- (a) where the articles are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or
- (b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

24. (1) Save as otherwise provided by rule 23, and subject to the provisions of sub-rule (2), rule 39, a licence for the transport of arms, ammunition or military stores may be granted in Form VII—

Transport of arms,
ammunition or milita-
ry stores.

- (a) where the arms, ammunition or stores are consigned from a Presidency-town or Rangoon—by the Commissioner of Police;
- (b) where they are consigned from any other place—by the District Magistrate of the district in which such place is situated;

(2) A copy of every licence granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall forthwith be sent—

(a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

(3) A copy of every licence granted under sub-rule (1) by a District Magistrate for transport within the limits of his district shall forthwith be sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not be taken from the railway premises unless the railway police, or, if there are no railway police, the railway authorities, have satisfied themselves that the arms, ammunition or stores correspond with the description given in the licence.

25. (1) The consignee of any arms, ammunition or military stores transported by land or river under a licence shall deliver the licence within six days of the arrival of the consignment at its destination—

(a) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) in any other place—to the District Magistrate of the district in which the place of destination is situated, or to such other Magistrate as the District Magistrate may appoint in that behalf.

(2) Any officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or military stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for, and any subordinate Magistrate, to whom a licence is delivered under clause (b) of that sub-rule, shall forward it to the District Magistrate.

Import, Transport and Re-export.

23. (1) Save as otherwise provided by rules 5, 7 and 23, a comprehensive licence for the import by sea, land or river, of arms, ammunition or military stores and for their re-export may be granted in Form VIII—

Licence for import, transport and re-export of arms, ammunition and military stores

- (a) Where the arms, ammunition or stores are consigned from one Indian State to another separated therefrom by British Indian territory—by the Political Officer for either State.
- (b) where they are consigned from any place in one Indian State to any other place in the same State separated therefrom by British Indian territory—by the Political Officer of such State :

Provided that nothing in this sub-rule shall apply to import from, or export to, Berar.

(2) (a) Where under the authority of the licence granted under sub-rule (1), the arms, ammunition or stores are to be transported across British Indian territory entirely by rail, a copy of the licence shall forthwith be sent by the Political Officer granting it to the other Political Officer concerned, and to the railway authorities at the place from which the consignment is to be despatched.

- (b) The railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence and shall satisfy themselves—
- (c) that the arms, ammunition or stores correspond with the description given in such licence, and
- (d) that such licence is identical with the copy sent to them—
- (e) where in any case—
 - (i) the consignment is not accompanied by the original licence, or
 - (ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or
 - (iii) the licence is not identical with the copy sent to them, the railway authorities shall not receive the consignment for despatch and shall forthwith inform the Political Officer granting the licence.

- (3) Where under the authority of a licence granted under sub-rule (1) arms, ammunition or stores are to be transported across British Indian territory and re-exported by road or river,—
- (i) a copy of the licence shall forthwith be sent by the Political Officer granting it to the District Magistrate of the district out of which the consignment is to cross the frontier of British India into the State to which it is exported ; and
- (ii) the licence shall within 6 days of the arrival of the consignment in the district out of which it is to cross the frontier of British India into the State to which it is exported, and before it so crosses be delivered to the District Magistrate of such district, or to such other officer as the District Magistrate may appoint for this purpose.
- (4) Every officer to whom a licence is delivered under clause (ii) of sub-rule (3) shall satisfy himself—
- (a) that such licence is identical in substance with the copy sent to him under clause (i) of that sub-rule, or to the District Magistrate in case he is not the District Magistrate himself ;
- (b) that the arms, ammunition or stores correspond with the description given in the licence ; and
- (c) that any deficiency is properly accounted for.

Export and re-import.

27. (1) Save as otherwise provided by rules 5 and 7 a comprehensive licence for the export by sea, land or river of arms, ammunition or military stores and for their re-import where such arms, ammunition or stores are consigned from any place in British India to any other place in British India separated therefrom by Indian State territory may be granted in Form VIII by the licencing authority of either such place, that is to say, by the authority empowered under these rules to grant a licence for the export of such arms, ammunition or military stores when consigned from, or, as the case may be, for their import when consigned to such place :

Provided that nothing in this sub-rule shall apply to export to, or import from, Berar.

Licence for export
and re-import of arms,
ammunition and mili-
tary stores.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent by the licensing authority granting it to the other licensing authority concerned and also—

- (a) where the arms, ammunition or stores are to be transported entirely by rail to the railway authorities at the place from which the consignment is to be despatched and
 - (b) where the arms, ammunition or stores are to be transported by road or river to the District Magistrate of the district into which the consignment is to cross the frontier of British India on re-importation.
- (3) The railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless, accompanied by the original licence and shall satisfy themselves—

- (a) that the arms, ammunition or stores correspond with the description given in such licence, and
 - (b) that such licence is identical with the copy sent to them.
- (4) Where in any case—
- (a) the consignment is not accompanied by the original licence, or
 - (b) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or
 - (c) the licence is not identical with the copy sent to them,
- the railway authorities shall not receive the consignment for despatch and shall forthwith inform the nearest Magistrate having jurisdiction at the place where the consignment is tendered for despatch.

Manufacture and Sale.

29. (1) A licence—

Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.

- (a) in Form IX to manufacture, convert, sell or keep for sale, or
 - (b) in Form X to sell and keep for sale, any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted—
- (i) in a Presidency-town or Rangoon—by the Commissioner of Police, or
 - (ii) in any other place—by the District Magistrate.

(2) A licence—

(a) in Form XI to manufacture, convert, sell or keep for sale, or

(b) in Form XII to sell or keep for sale,

breach-loading rifles, parts of breach-loading rifles, rifle ammunition or military stores for rifles shall be granted only—

(i) by the Local Government, or

(ii) in Sind, by the Commissioner in Sind.

(3) The Local Government or, in Sind, the Commissioner in Sind may, by licences granted by it or him under this rule, authorize selected dealers to sell and keep for sale a specified amount of ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '41, '450 or any intermediate bore: provided that the licensee shall not sell from his stock to any person who does not hold—

(a) a licence to possess such ammunition, or

(b) a licence for the export of ball'd ammunition to a State in India granted by a Political Officer empowered, under sub-rule 1 of rule 17, to grant licences for export to such State.

(4) Every Magistrate and every Police-officer not below the rank of Inspector, or, if the Local Government so directs, of Sub-Inspector, may, within the local limits of his authority,—

(a) enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold or kept for sale, and

(b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

Note.—(1) It is the duty of the District Officer to satisfy himself that the receptacle or building provided for the storage of gunpowder is secured against all reasonable probability of theft, and he should, at the same time, insist by executive order that proper precautions are taken for the safe custody of any firearms kept for sale. In the event of a person failing to comply with the District Officer's demands, he should be warned that the penalty for this neglect will be the refusal of a renewal of the license, and this penalty should be rigorously enforced. In extreme cases where immediate action is called for to preserve the public peace it is open to the Magistrate to cancel the license under section 18(2) of Act XI of 1878.—(Eastern Bengal and Assam letter No. 3908-07G, dated the 14th June 1910.)

(2) Licenses for the sale of ammunition should not be issued in the Nowgong and Sibmang districts in localities nearer to the Naga Hills than the existing arms and ammunition shops.—(Assam Administration letter No. 15Mily.—589M., dated the 16th February 1899.)

(3) All Sub-Inspectors are authorized under clause (4) of this rule.—(Fide Notification No. 692G., dated the 29th January 1910, printed at page 160, paragraph 26.)

(4) Regarding license for arms repairs, vide paragraph 14 under section II of Chapter IV page, 165.

Keeping for safe custody.

29. A licence to keep for safe custody firearms and ammunition deposited by their owners for that purpose may be granted in Form X'II to the holder of a licence in Form IX, Form X, Form XI, or Form XII—

License to keep for safe custody firearms and ammunition.

- (a) in a Presidency-town or Rangoon—by the Commissioner of Police, or
- (b) in any other place—by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf.

Possession.

30. (1) A licence for the possession of—

Restriction upon possession of cannon and certain other articles.

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent—

- (a) where the articles are to be kept in a Presidency town or Rangoon—to the Commissioner of Police, or
- (b) where they are to be kept in any other place—to the District Magistrate of the district in which such place is situated.

Note.—A licence under the Indian Arms Act granted to a Maharaja for the possession of cannon should be regarded as a licence granted in favour personally of the Maharaja who holds the title at the time the licence is issued, and it is necessary for the licence to be renewed in the case of each succeeding title-holder.—[Government of India letter No. 1490, dated the 2nd July 1928.]

31. Save as otherwise provided by rule 30, a licence for the possession only of arms (other than pistols or revolvers), ammunition or military stores may be granted in Form XIV—

Possession of arms, ammunition or military stores.

- (a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

- (b) in any other place—by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf.

Note.—In exercise of the powers conferred by rules 31, 35, 36 and 37 of the Indian Arms Rules, 1924, issued by the Government of India under the Indian Arms Act, 1878 (XI of 1878), and published under the Home Department Notification No. F. 839 - I - 22, dated the 3rd November 1923, the Governor in Council is pleased to empower all Subdivisional Magistrates in Assam to grant licenses in Forms XIV, XVIII, XIX and XX prescribed in Schedule VIII of the said rules.—[Notification No. 419G.J., dated the 30th June 1924.]

N.B.—In the cases of licenses in Forms XIV, XVIII and XIX, Subdivisional Officers are vested with the power of granting licenses in order that they be empowered to renew licenses in those forms. They should not exercise the power of granting new licenses in those forms without previous approval of the District Officers.—[Memorandum No. C.P. 1362—468—84G.J., dated the 2nd February 1924.]

32. A licence for the possession and use of firearms, for the purposes of target practice, by the members of any military mess or of any club or association may, with the sanction of the Local Government, be granted in Form XV in the name of the mess, club or association—

- (a) in a Presidency-town or Rangoon—by the Commissioner of Police, or
- (b) in any other place—by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf.

Possession and going Armed.

33.(1) Save as otherwise provided by rule 30, a licence for the possession of arms and ammunition and going armed for sport, protection or display may be granted in Form XVI—

- (a) in Madras and Bombay—by the Commissioner of Police; in Calcutta—by the Deputy Commissioner of Police at headquarters; and in Rangoon—by the Assistant Commissioner of Police, Rangoon.
- (b) in any other place, by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf, and
- (c) in the case of a person residing in a State in India—by the Political Officer for such State,

Provided that—

- (4) no licence shall be granted for the possession of rifles of .303 or .450 bore or of pistols or revolvers of .441, .455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers unless such rifles, pistols or revolvers or such ammunition have been lawfully imported into British India; and
 - (4a) no licence shall be granted in respect of ball ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into British India, as the case may be, and the amount of ball ammunition which such licensee may possess during the period of twelve months next ensuing shall be entered in the licence.
- (2) Any licence granted under sub-rule (1) may be made valid by the licensing authority as follows:—
- (a) throughout the Province in which it is granted or any specified part thereof, or throughout British India, and
 - (b) when granted by a Political Officer under clause (c) of that sub-rule, throughout the whole or any specified part of British India.
- (3) Any such licence having effect outside the Province in which it is granted shall be granted subject to any restriction which may be imposed by any general or special order of a Local Government in regard to its own province.
- (4) The District Magistrate, South Arcot, may, on the recommendation of His Excellency the Governor of the French Settlements in India, endorse a licence granted in Pondicherry for the possession of arms and ammunition or for going armed as valid for a period not exceeding one year throughout British India or any specified part thereof, and such licence shall, when so endorsed, be deemed for such period to be a licence granted under sub-rule (1).

Note.—(1) "Lawfully imported" means "imported under the special sanction of the Government of India" (vide paragraph 14 of the "Brief explanation of the Indian Arms Rules, 1924, affecting the possession of arms by private individuals" (page 184—185).

(2) The special restrictions imposed by the Government of Assam under sub-rule (3) of this rule are contained in Notification No. 1220G.J., dated the 10th March 1924, at page 185.

14. Save as otherwise provided by rule 30, a licence may be granted in Form XVII to a *bona fide* traveller proceeding from a port of arrival in British India to his place of destination and for the possession of arms and ammunition in reasonable quantities during the period occupied in so proceeding and for going armed during such period—

Temporary licence
for possession of arms
and for going armed
by *bona fide* travellers

- (a) if the port of arrival is a Presidency-town or Rangoon — by the Commissioner of Police, and
- (b) in other cases by the District Magistrate, or by any other officer specially empowered by the Local Government in that behalf.

Provided that—

- (a) no licence shall be granted for the possession of rifles of .303 or 450 bore or of pistols or revolvers of .441, .455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers unless such rifles, pistols, revolvers or ammunition have been lawfully imported into British India; and
 - (b) no licence shall be granted in respect of ball ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into British India, as the case may be.
- (2) A copy of every licence granted under sub-rule (1) shall forthwith be sent—
- (a) where the licensee's place of destination is a Presidency-town or Rangoon—to the Commissioner of Police,
 - (b) where his place of destination is elsewhere in British India or Berar—to the District Magistrate of the district in which such place is situated,
 - (c) where his place of destination is in an Indian State—to the Political Officer for such State.

(3) Any officer to whom a copy of such licence has been sent under sub-rule (2), shall satisfy himself when necessary that the licensee has complied with condition 6 entered on the form of licence.

Note.—(1) See note (1) to rule 7.

(2) See note (2) to rule 33.

35. A license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted in Form XVIII by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf.

Possession of arms and ammunition and going armed for the destruction of wild animals.

Note.—(1) See note (1) to rule 31.

(2) See note (2) to rule 33.

36. A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted in Form XIX by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf :

Possession of arms and ammunition, and going armed for the protection of crops.

Provided that such licence—

- (a) shall only be granted to *bona fide* cultivators, and
- (b) shall be valid only in the place or area specified in the licence by the licensing officer.

Note.—(1) See note (1) to rule 31.

(2) See note (2) to rule 33.

37. A licence for going armed on a journey in or through any province may be granted in Form XX—

Going armed on a journey.

- (a) in a Presidency-town or Rangoon—by the Commissioner of Police ;
- (b) in any other place—by the District Magistrate or by any Subdivisional Magistrate specially empowered by the Local Government in that behalf, or
- (c) in the case of a person residing in a State in India—by the Political Officer for such State.

(2) Where a Commissioner of Police or District or Subdivisional Magistrate receives an application for a licence of the nature referred to in sub-rule (1) from any person who—

- (a) is not resident within the local limits of his authority, or
- (b) is not personally known to him,

he shall, before granting the licence, ascertain—

- (i) when the applicant resides in a Presidency-town or Rangoon—from the Commissioner of Police ;

- (ii) when the applicant resides in any other place in British India or Berar—from the District Magistrate of the district in which such place is situated, or
- (iii) when the applicant resides in a State in India—from the Political Officer for such State,

whether there is any objection to the grant of the licence unless, for reasons to be recorded, he considers this precaution to be unnecessary.

Note—(1) See note (1) to Rule 31.

Possession and Import or Transport.

38. (1) A licensed dealer authorized by the Local Government or the Commissioner in Sind under sub-rule (8) of rule 23 to sell and keep for sale a specified amount of balled ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '441, '450 or any intermediate bore may be permitted—

Possession by dealers of certain balled ammunition with liberty to import.

(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate,

to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his licence and, if permission is granted, the authority granting it shall endorse on the licence the quantity of balled ammunition for which, and the date on which, such permission was granted.

Application for, and grant of, Licences.

39. (1) Save as provided by rule 26, a licence, having effect beyond the local limits of the authority of the officer granting it, shall not be granted—

Previous sanction in certain cases.

- (a) for the export of any arms, ammunition or military stores to a State in India without the previous sanction of the Political Officer for such State, or to any place in Berar without the previous sanction of the Magistrate of the district in which such place is situated;

Provided that the previous sanction of such Political Officer shall not be necessary in cases where the consignee is—

- (i) a Ruling Prince or Chief ;
 - (ii) a gazetted officer in civil employ or an officer holding His Majesty's commission in His Majesty's naval, military or air forces ;
 - (iii) a member of the family of a Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, or
 - (iv) one of the persons or a person belonging to one of the classes of persons specified in Schedule I,
- and the consignment is intended for the personal use only of the consignee ; or

(b) for the import or transport of any arms, ammunition or military stores—

- (i) to a Presidency-town or Rangoon without the previous sanction of the Commissioner of Police ; or
- (ii) to any other place in British India, without the previous sanction of the District Magistrate of the district in which such place is situated ; or
- (iii) to any port within the political charge of the Political Resident at Aden or the Political Resident in the Persian Gulf, without the previous sanction of such Political Resident.

(2) Save by the Commissioner of Police in a Presidency-town or Rangoon, a licence shall not be granted under rule 24 for the transport of any breech-loading rifle or ball ammunition to any place in—

- (a) the North-West Frontier Province, or
- (b) the Rawalpindi, Dera Ghazi Khan, Mianwali or Attock Districts of the Punjab, without the previous sanction of the Local Government.

(3) The previous sanction referred to in this rule may be obtained either—

- (a) by the applicant for the licence, or,
- (b) by the officer to whom application for the grant of such licence is made.

(4) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose

previous sanction is required ; and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused.

40. (1) Every person who wishes to obtain a licence under these rules shall apply in writing, through the medium of the post office or otherwise at his option, to the nearest authority empowered to grant such licence, and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted :

Applications for licences.

VIII of 1911. Provided that an application on behalf of a person subject to the provisions of the Indian Army Act, 1911, shall be made to the authority so empowered in respect of the place where such person permanently resides. Where, however, such person has his permanent home outside British India, the application shall be made through his Commanding Officer to the licensing authority of the district in which he is for the time being serving.

(2) Without prejudice to the generality of sub-rule (1) every person applying for a licence—

- (a) for the import by land or river,
- (b) for the export, or
- (c) for the transport,

of any arms, ammunition or military stores shall specify in his application—

- (i) the place of destination,
- (ii) the route,
- (iii) the time likely to be occupied in the journey, and
- (iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended.

(3) Where the grant of the licence requires the previous sanction of some other authority specified in rule 39, the application shall state whether such previous sanction has been obtained and, if so, shall be supported by evidence thereof.

41. (1) Every licence shall be granted or renewed in the appropriate Form, and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the licence shall alone be covered thereby.

Form and language of licences

(2) Every such licence shall be written or printed—

- (a) where it is granted in a Presidency-town or Rangoon, or where it is granted in a district and is intended for use beyond the limits of such district, in English and, if the licensing officer so directs, in the vernacular, or

- (b) where it is granted in a district and is intended for use only within the limits of such district, in English or in the vernacular as the licensing officer may direct.

42. (1) Save as herein otherwise provided, every licence under these rules shall, unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.

(2) A licence for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated in the licence.

(3) Every licence may, at its expiration and subject to the same conditions (if any) as to previous sanction as would apply in the granting thereof, be renewed by the authority who granted it, or by any other authority empowered to grant a licence of the description in question :

Provided as follows—

- (a) licences in Form XI or Form XII may, where the Local Government so directs, be renewed by the Commissioner of the Division in which the licensee resides or carries on business ;
- (b) any Subdivisional Magistrate may renew a licence in Form XVI ; and
- (c) where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

43. (1) Every authority empowered to grant or renew a licence or to give his previous sanction to such grant or renewal may, in his discretion,—

Discretion and control of authorities empowered to grant licences.

- (a) refuse to grant or renew such licence or to give such sanction, or
- (b) where the authority is subordinate to a Local Government, refer the application for orders to such Local Government.

Provided that in any case in which such authority refuses to grant or renew a licence, the applicant for such grant or renewal may appeal to the immediate official superior of the authority so refusing.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

Obligation to produce licences.

44. (1) Any person who—

(a) holds a licence granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such licence or pass,

shall forthwith produce such licence or pass upon the demand of any Magistrate or of any Police-officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence to grant or renew it upon any condition, not inconsistent with that sub-rule, with respect to the production of such licence.

45. The authority by whom any licence has been granted

Production of arms.

under rule 31, rule 33, rule 35 or rule 36 may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

Fees.

46. (1) Every licence granted or renewed under these rules

Fees payable for licences.

shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed.

(2) Where any arms, other than—

(a) cannon, or

(b) rifles, revolvers or pistols in respect of which the prohibition imposed by rule 7 applies,

or any ammunition or military stores are imported under a licence into any British port and re-exported thence and re-imported into any of the ports specified in rule 8 or in rule 9, the necessary

licences for such re-export under rule 15 and for such re-import under rule 8 or rule 9 shall be respectively chargeable with a fee of one rupee only.

(3) The Governor General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence.

(4) The Local Government may by general or special order remit or reduce the fee payable in respect of the grant or renewal of any licence—

(a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition ;
or

(b) granted under rule 10 to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of persons or property.

(5) Any Political Officer authorised under rule 17 to grant licences in Form VI may remit the fee payable in respect of the grant or renewal of any such licence in the case of arms and ammunition exported for personal use, or in the case of ammunition exported for the use for blasting purposes, whether on a public work or not, of the Government of the State for which he is the Political Officer.

(6) The fee payable in respect of the grant or renewal of any licence in Form VI shall be remitted in the case of all licences in that Form granted under rule 17 by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta, or by the District Magistrate of Delhi, Meerut, Lahore, Rawalpindi or Karachi.

(7) The fee payable in respect of a licence in Form VI granted under rule 17 by the District Magistrate of Malabar for export to Mahé shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

(8) No fee shall be chargeable in respect of the grant or renewal of any licence in Form XVI to any member of any of the classes of persons specified in the first column of Schedule

VII for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof. " Provided that if application for renewal is not made within one month of the date on which the license expires, the licensing authority may, in his discretion, levy renewal fees at the rate specified in form XVI."

(9) No fee shall be chargeable in respect of the endorsement under sub-rule (4) of rule 88 of a licence granted in Pondicherry.

Note.—(1) Under rule 89(8) [now 46(8)] of the Indian Arms Rules, 1909 (now 1924), the Governor General in Council directs that the fee for licence to re-import may be remitted in case where arms and ammunition which have been sent out of British India within the period of two months from the date of export.—[Government of India letter No. 3466, dated the 10th September 1909, and memorandum No. 3470, dated the 10th September 1909.]

(2) In exercise of the power reserved to the Government of India by rule 89(8) [now 46(8)] of the Indian Arms Rules, 1909 (now 1924), the Governor General in Council is pleased to direct that no fee shall be charged in respect of the grant or renewal of a licence in Form VII (new Form VI) of the forms appended to these rules for the export to a Native State of ammunition required for the use of a public railway or other public work.—(Home Department Notification No. 1327, dated the 13th May 1910.)

(3) In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), as amended by the Devolution Act, 1920 (XXXVIII of 1920), and in supersession of all previous orders, the Governor in Council is pleased to make the following remission and reduction of fees payable on certain applications under the Indian Arms Rules, 1924, in the province of Assam, namely :—

- (1) to remit all fees payable under Schedule II of the said Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under those Rules, and
- (2) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules.

47. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

Fees payable for
duplicates.

- (a) where the original licence was granted without the payment of any fee, free of all fee ; or
- (b) in any other case, on payment of a fee of one rupee or of the fee with which the original licence was chargeable, whichever is less.

48. (1) All fees payable under rule 46 or rule 47 shall be paid by means of non-judicial stamps or in cash at the option of the applicant.

Collection and refund
of fees.

(2) Where a fee of not less than one rupee payable under these rules has been realised, and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

Cancellation and Savings.

49. The Indian Arms Rules, 1920, are hereby cancelled :
Cancellation of the
Indian Arms Rules
1920.

Provided that all exemptions, exclusions and withdrawal made, all licences or duplicates granted or renewed, all fees imposed, levied, remitted or reduced, and all powers conferred by or under those rules shall, so far as they are consistent with, these rules, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

SCHEDULE I:

(SEE RULE 3.)

PERSONS EXEMPTED.

The persons or classes of persons specified or described in the first column of the subjoined table are subject to the provisions of provisos (b) and (c) to rule 8, exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

The Table.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(1) (a) The Viceroy and Governor General of India, the Commander-in-Chief in India, the Governors of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the Central Provinces, and Assam, the Chief Commissioner, Delhi, the Commissioner in Sind, Privy Councillors, Members of the Council of India when visiting India during their term of office, members of the Executive Councils of the Governor General and Governors, Ministers in Governors' Provinces and Members of the Indian Legislature, during their tenure of office and for 6 months thereafter, Residents of the First Class, Chief Justice and Puisne Judges of High Courts, Judges of Chief Courts, Judicial and Additional Judicial Commissioners, Members of the Board of Revenue, Financial Commissioners.</p> <p>(b) Every Ruling Prince or Chief having a salute of guns. (See Government of India, Foreign and Political Department, letter No. 47G., dated the 8th May 1925.)</p>	<p>All except—</p> <p>(a) cannon ;</p> <p>(b) articles designed for torpedo service ;</p> <p>(c) war rockets ;</p> <p>(d) rifles of .303 or .450 bore and revolvers or pistols of .441, .450 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into British India ;</p> <p>(e) machinery for the manufacture of arms or ammunition, and</p> <p>(f) appliances the object of which is the silencing of firearms.</p>	<p>.....</p>	<p>Those contained in sections 13 to 15.</p>

SCHEDULE I—*contd.*

Persons or class of persons.	Arms and ammunition.	Proviso and restrictions.	Prohibitions and directions.
<p>(2) (a) Every Ruling Chief not having a salute of guns ;</p> <p>(b) such members of the families of Ruling Princes or Chiefs and such nobles, officials, or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned ;</p> <p>(c) the retinues of any Prince, Chief or other person referred to in sub-heads (a) and (b) when such Prince, Chief or person is entering, passing through or residing in British India, to such numbers as may be agreed to by the Political Officer concerned under the special or general orders of—</p> <p>(i) the Governor General in Council, or</p> <p>(ii) in respect of Ruling Princes or Chiefs whose political relations are with a Local Government, the Local Government concerned ; and</p> <p>(d) all officials of States in India passing through British India on duty.</p> <p>(3) Every Maharaja, Raja or Nawab whose title has been conferred or recognised by Government, every Peer, Baronet, Knight Bachelor, and Knight of any Order established by the Crown, and the Khans of Teri and Phulera in the North-West Frontier Province.</p>	<p>All except—</p> <p>(a) cannon ;</p> <p>(b) articles designed for torpedo service ;</p> <p>(c) war rockets ;</p> <p>(d) rifles of .303 or .450 bore and revolvers or pistols of .441, .450 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into British India ;</p> <p>(e) machinery for the manufacture of arms or ammunition ; and</p> <p>(f) appliances the object of which is the silencing of firearms.</p> <p>Ditto ...</p>	<p>This exemption shall be subject to such conditions (if any) as may be prescribed by the Local Government or the Political Officer, as the case may be, and may, where necessary, be of a general nature dispensing with the necessity of a fresh order on each occasion.</p> <p>The arms or ammunition carried or possessed by any person herein exempted shall be of such descriptions only and shall not exceed such quantities, if any, as—</p> <p>(a) the Governor General in Council, or</p> <p>(b) a Local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for such person to carry or possess.</p>	<p>Those contained in sections 18 to 15.</p> <p>Ditto.</p>

SCHEDULE I—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and restrictions.
(4) Every Consul and Consular Agent.	<p>All except—</p> <p>(a) cannon ;</p> <p>(b) articles designed for torpedo service ;</p> <p>(c) war rockets ;</p> <p>(d) rifles of '303 or '450 bore and revolvers or pistols of '441, '450 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into British India ;</p> <p>(e) machinery for the manufacture of arms or ammunition ; and</p> <p>(f) appliances the object of which is the silencing of firearms.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall be of such descriptions only and shall not exceed such quantities, if any, as—</p> <p>(a) the Governor General in Council, or</p> <p>(b) a Local Government in respect of the territories administered by it or subject to its control,</p> <p>may declare to be reasonable for such person to carry or possess.</p>	Those contained in sections 18 to 15.
(5) Every person of Coorg race and every Jumma tenure-holder in Coorg, who, by his tenure, is liable to perform military or police duties.	Ditto ...	The arms or ammunition carried or possessed by any person herein exempted whilst residing or travelling outside the province of Coorg shall not exceed one rifle with 100 rounds of ammunition for the same and one smooth-bore breech or muzzle-loading gun with 500 cartridges or the equivalent in leaden shot and gunpowder.	Ditto.

SCHEDULE I—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(6) The following persons and their retainers, namely—</p> <p>(a) the ancient samindars and Poligars of the Madras Presidency; every Malikana holder in the Malabar District; the Prince of Arcot; M. R. Ry. A. L. A. R. B. M. Arunachalam Chettiar Avargal, zamindar of Devakottai in the Ramnad district; the Mahant of Tirupati in the North Arcot district and Shaik Mushtak Shaha, the present Valiya Thanagal of Kundotti in the Ernad Taluk, Malabar district, of the Madras Presidency.</p> <p>(b) the first class Sardars of the Deccan and Southern Maratha Country States; the first class Sardars of Gujarat; and such members of the Talpur family and Jagirdars and samindars in Sindh as the Government of Bombay may designate;</p> <p>(c) such samindars of Bengal, Bihar and Orissa and Assam as the Local Government may designate in this behalf [see note (1) to rule 3];</p> <p>(d) such Sardars and Jagirdars of the Punjab and North-West Frontier Province as the Local Government may designate in this behalf;</p>	<p>All except—</p> <p>(a) cannon;</p> <p>(b) articles designed for torpedo service;</p> <p>(c) war rockets;</p> <p>(d) rifles of .303 or .450 bore and revolvers or pistols of .441, .450 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into British India;</p> <p>(e) machinery for the manufacture of arms or ammunition, and</p> <p>(f) appliances the object of which is the silencing of firearms.</p>	<p>This exemption shall be subject to—</p> <p>(a) the orders of the Local Government regarding the persons to be included in this category, the number of retainers and the quantity and description of arms and ammunition to be permitted in each case, the purposes for which such arms may be carried, and**</p> <p>(b) the annual registration of the retainers' weapons exempted, the number and description only being specified.</p>	<p>Those contained in sections 13 to 15.</p>

** See Assam Government letter No. C.P.-40-444G.J., dated the 31st January 1924.

SCHEDULE I—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
<p>(c) Shan Sawbwas and other Chiefs in Burma;</p> <p>(f) (i) the Zamindars of the Scheduled Districts of the Central Provinces ;</p> <p>(ii) the Diwan of Seoni ;</p> <p>(iii) the Bhuskute of Timarni and Burhanpur ;</p> <p>(iv) the senior representative of the family of the Rao of Saugor ;</p> <p>(v) the head of the junior branch of the Bhonsla family known as the Kuar Sahib ;</p> <p>(vi) the representative of the family of the former Rajas of Saugor ; and</p> <p>(g) the Taluqdars of Oudh ; Rao Udai Bir Singh of Gopalpura, Jalaun, Raja Bahadur Bijai Bahadur Singh of Katchra ; and such other zamindars of the United Provinces as the Local Government may designate in this behalf ;</p> <p>(h) (i) the Tazimi Istimrardars and the non-Tazimi Istimrardars of Ajmere Merwara,</p> <p>(ii) the Nawab of Boraj,</p> <p>(iii) the Diwan of Durgah Khwaja Sahib,</p> <p>(iv) the Jagirdar of Gangwana,</p> <p>(v) the Jagirdar of Dodiana,</p> <p>(vi) the Jagirdar of Jharwara.</p>			

SCHEDULE I—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
<p>(7) Any of the undermentioned persons, not being members of trans-border tribes, namely :—</p> <p>(a) armed guards accompanying sheep, goats, asses and cattle under the provisions of the Frontier Grazing Regulation, 1874, (I of 1874) ; or</p> <p>(b) villagers residing in the North-West Frontier Province.</p> <p>(8) Every officer holding a Commission from His Majesty, every officer of His Majesty's Indian Forces or of Indian State Forces or of the Indian Territorial Force, every person enrolled under the Auxiliary Force Act, 1920 (XLI of 1920), and every Warrant Officer or Staff Sergeant of a British Unit of His Majesty's Regular Forces including a Warrant Officer or Staff Sergeant who is an instructor of the Auxiliary Force, India, or of the Indian Territorial Force.</p> <p>[<i>Notes.</i>—It has been decided that a native of India holding the honorary rank of Lieutenant in the Indian Army is a Military Officer within the meaning of paragraph (1), clause (4), of Home Department No. 818, dated the 6th March 1929, and is exempt from the prohibition and directions contained in sections 13-16 of the Arms Act.—(Home Department No. 2040, dated the 7th June 1928).]</p>	<p>All arms except rifles, pistols, revolvers and daggers.</p> <p>Single-barrel rifles of .308 bore required for match-shooting purposes.</p>	<p>.....</p> <ol style="list-style-type: none"> 1. Only one such rifle at a time shall be imported or used by any person hereby exempted. 2. The rifle shall be sighted to a range of over 1,000 yards. 3. The rifle shall, in the case of regimental officers, warrant officers, non-commissioned officers, and persons appointed to Corps of the Auxiliary Force, India, or of the Indian Territorial Force, become part of the equipment of the Corps to which the owner for the time being belongs. 4. The owner shall, at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of regimental officers, warrant officers, non-commissioned officers, and persons appointed to Corps of the Auxiliary Force, India, or of the Indian Territorial Force, the weapon will be brought on to the equipment ledger of the Corps, and in the case of Staff and Departmental officers, will be brought on to the equipment ledger of a Corps, in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment. 	<p>Those contained in section 13.</p> <p>All.</p>

SCHEDULE I—*consolid.*

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
<p>(9) The Officer Commanding a unit in His Majesty's Regular Forces or in any Indian State Forces, and when he is in possession of a pass granted and signed by his Officer Commanding, every warrant officer, non-commissioned officer and soldier in His Majesty's Regular Forces or in any Indian State Forces.</p>	<p>Such arms and ammunition as are provided for sporting purposes by Government or from a regimental fund under the authority of the Officer Commanding the unit.</p>	<p>5. This exemption shall, in the case of persons appointed to a Corps of the Auxiliary Force, India, or of the Indian Territorial Force, cease to have effect on removal of the owner from the force.</p> <p>6. Any person hereby exempted may dispose of his rifle to another person so exempted. Provided that the rifle becomes part of the equipment of the Corps to which the latter belongs and is accounted for as such.</p> <p>This exemption shall apply in the case of warrant officers, non-commissioned officers and soldiers only in respect of weapons and ammunition entered in the pass and to the areas and for the dates specified in the pass and in the case of Officers Commanding only in respect of the purchase and stocking of arms and ammunition which are provided for sporting purposes by Government or from a regimental fund.</p>	<p>Those contained in sections 13 to 15.</p>
<p>(10) Persons holding swords or other arms received by them as gifts from the Governor General in Council or a Local Government or the Commander-in-Chief.</p>	<p>Such swords or other arms as have been so received, together with ammunition for any firearms so received.</p>	<p>The ammunition in respect of which any person is herein exempted shall be of such description only and shall not exceed such quantities as—</p> <p>(a) the Governor General in Council, or</p> <p>(b) a Local Government in respect of the territories administered by it or subject to its control, may direct.</p>	<p>All.</p>

SCHEDULE II.

(SEE RULE 3.)

ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

Within the areas specified in the first column of the subjoined table the arms, ammunition and military stores described in the second column are excluded from the operation of such prohibition and directions contained in the Act as are indicated in the third column.

THE TABLE.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
1. British India except the Punjab, Burma and the Delhi Province.	<p>All arms except—</p> <p>(a) cannon other than of the kind specified in head (i) of entry 2,</p> <p>(b) firearms,</p> <p>(c) air guns and air pistols other than of the kind specified in head (iii) of entry 2,</p> <p>(d) article designed for torpedo service,</p> <p>(e) war-rockets,</p> <p>(f) machinery for the manufacture of arms, and</p> <p>(g) appliances the object of which is the silencing of firearms :</p> <p>Provided that the exceptions in respect of cannon and firearms shall not apply in the case of arms of these classes which are obsolete and un-serviceable and of purely antiquarian value or which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.</p>	<p>All ; provided that the Local Government may, by notification in the local official gazette, retain all or any of the prohibitions and directions contained in the Act in respect of any arms in the case of any class of persons or of any specified area. [See note under section 16 of the Act.]</p> <p>Ditto.</p>

SCHEDULE II—*contd.*

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
2. British India	<p data-bbox="401 341 773 388">(i) Toy cannon weighing less than 56lbs and having—</p> <p data-bbox="434 428 740 451">(a) a calibre of less than one inch,</p> <p data-bbox="434 490 773 529">(b) a length of bore of less than 24 inches, and</p> <p data-bbox="434 569 762 592">(c) the interior of the bore unrifled.</p> <p data-bbox="401 631 773 788">(ii) Sights for rifles imported for the use of, or for sale to, the persons enumerated in entry 8 of Schedule I or non-commissioned officers and soldiers of His Majesty's regular forces on a written permit from the officer commanding the regiment to which they belong.</p> <p data-bbox="401 812 784 992">(iii) Air guns and air pistols which satisfy the following test, namely, that projectiles discharged from such guns or pistols do not perforate a target 12 inches square formed by five strawboards of foolscap size, each board being 3/64ths of an inch thick and closely held together in a frame ;</p> <p data-bbox="401 1008 773 1070">Provided that in making and estimating the test the following conditions shall be observed, namely—</p> <p data-bbox="434 1086 773 1172">(1) the gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target,</p> <p data-bbox="434 1188 773 1274">(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun or pistol, and</p> <p data-bbox="434 1290 778 1431">(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target and in any other case if the projectile passes completely through the back of the target.</p>	<p data-bbox="794 341 827 365">All.</p> <p data-bbox="794 631 827 655">All.</p> <p data-bbox="794 804 975 1188">All ; provided that the Local Government may, by notification in the local official gazette, retain all or any of the prohibitions and directions contained in the Act in respect of air pistols or of any class thereof in the case of any class of person or of any specified area.—<i>Vide</i> Notification No. 5343-G.J., dated the 20th August 1925.</p>

SCHEDULE II—*contd.*

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
3. Punjab, Burma and the Delhi Province.— <i>concl'd.</i>	<p>(v) Arms which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.</p> <p>(vi) Kirpans possessed or carried by Sikhs; provided that in Burma the length of the blade thereof does not exceed nine inches.</p> <p>(vii) Swords of honour possessed or carried by persons or by the heirs of persons to whom they were awarded by the Governor General in Council or a Local Government.</p> <p>(viii) Kukris possessed or carried by pensioned Gurkha officers, non-commissioned officers or soldiers of His Majesty's Indian Forces, residing in British India.</p>	<p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>
4. British India, excepting Burma, Aden, the Mianwali and Muzaffargarh districts in the Punjab and all districts on the external land of British India.	<p>(i) Lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shots) up to any quantity.</p> <p>(ii) Loaden bullets and bird-shot in quantity not exceeding such limits as the Local Government may fix.</p>	<p>All.</p> <p>All.</p>
5. British India, excepting Burma, Aden and all districts on the external land frontier of British India.	<p>(i) Saltpetre</p> <p>(ii) Sulphur in quantities not exceeding such limits as the Local Government may fix.</p>	<p>All.</p> <p>All.</p>
6. Aden, the Mianwali and Muzaffargarh districts in the Punjab and all districts on the external land frontier of British India, outside Bu ma.	<p>(i) Lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding such limits as the Local Government may fix.</p> <p>(ii) Loaden bullets and bird-shot in quantities not exceeding such limits as the Local Government may fix.</p> <p>(iii) Sulphur in quantities not exceeding 10 seers.</p>	<p>All.</p> <p>All.</p> <p>All.</p>

SCHEDULE II—*cond.*

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
7. Burma and all districts on the external land frontier of British India.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs.	All.
8. That part of the Bhavnagar railway which lies in the Ahmedabad district in the Bombay Presidency.	All arms, ammunition and military stores covered by any exemption or <i>parwana</i> granted under the Kathiawar State Arms Rules or the Kathiawar Agency Arms Rules, provided that the conditions of such exemption or <i>parwana</i> are observed.	Those contained in sections 13 to 15.
9. Burma— (a) generally ...	(i) Lead, except lead in the form of bullets and bird-shot. (ii) Lead required in good faith for industrial or manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding such limits as the Local Government may fix. (iii) Lead: bullets and bird-shot in quantities not exceeding such limits as the Local Government may fix, when possessed by persons entitled to possess firearms. (iv) Sulphur in quantities not exceeding one <i>seer</i> . (v) Dahs intended exclusively for domestic, agricultural or industrial purposes.	Those contained in section 6. All. All. All. All.
(b) in the Arakan Hill Tracts.	Spears	All.

SCHEDULE III.

(SEE RULE 3.)

ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

The arms, ammunition and military stores described in the first column of the subjoined table are excluded from the operation of the prohibitions and directions contained in section 6 of the Act to the extent entered in the second column.

THE TABLE.

Arms, ammunition and military stores.	Prohibitions and directions.
I. Any arms, ammunition or military stores brought into and landed in bond at, or brought into any port in British India and declared under manifest to be consignments for, any port (other than a port specified in entry II of this Schedule) to which export is permitted.	All.
II. Any arms, ammunition or military stores brought into any port in British India and declared under manifest to be consignments for any port within the political charge of the Political Resident in Aden or the Political Resident in the Persian Gulf to which export is permitted.	Those relating to import.
III. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transhipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order of the Political Resident at Aden.	All.

SCHEDULE IV.

(See Rule 3.)

PARTS OF BRITISH INDIA WITHDRAWN.

The areas specified in the first column of the subjoined table are withdrawn, in respect of the arms and ammunition described in the second column, from such prohibitions and directions contained in the Act as are indicated in the third column.

The Table.

Areas.	Arms and ammunition.	Prohibitions and directions.
(1) All Scheduled Districts in the Madras Presidency.	All, except cannon and breech-loading arms.	All, except those contained in sections 12 and 25.
(2) The Chittagong Hill Tracts in Bengal.	All	Those contained in sections 13 and 14.
(3) Ajmer-Merwara, except the Ajmer City Municipality and all places situate within three miles of any part thereof, and those parts of the Mirzapur district in the United Provinces of Agra and Oudh which are situated on the right bank of the river Sone.	All, except cannon	Ditto.
(4) The lands which are for the time being occupied by the Rajputana-Malwa Railway in the Nimar district of the Central Provinces (including the lands occupied as stations, outbuildings and for other Railway purposes) between the station of Mortakka and Nimar Kheri.	All	Those contained in sections 14 to 15; Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.
(5) The lands to which the Indus Valley State Railway Lands Act, 1873, extends.	All	Ditto.

SCHEDULE IV—*cond.**The Table—cond.*

Areas.	Arms and ammunition.	Prohibitions and directions.
<p>(6) The following parts of the Punjab, namely:—</p> <p>(a) The pargana of Labaul;</p> <p>(b) the Dera Ghazi Khan district; and</p> <p>(c) the Isakhel tahsil of the Mianwali district.</p>	<p>All (not being possessed by members of trans-border tribes) except rifles, pistols, revolvers and daggers and rifle, pistol and revolver ammunition.</p>	<p>Those contained in sections 13, 14 and 15.</p>
<p>(7) The following parts of the North-West Frontier Province, namely:—</p> <p>(a) The Peshawar, Kohat, Bannu and Dera Ismail Khan districts excluding any area included in a Cantonment or Municipality; and</p> <p>(b) the villages in the Hazara district enumerated in the Appendix* annexed to this Schedule excluding any area included in the Municipality of Baffa.</p>	<p>All (not being carried by members of trans-border tribes) except rifles, pistols, revolvers and daggers.</p>	<p>Those contained in section 13.</p>
<p>(8) The following parts of the North-West Frontier Province, namely:—</p> <p>The whole of the North-West Frontier Province, with the exception of those villages of the Hazara district which are not enumerated in the Appendix* annexed to this Schedule.</p>	<p>All (not being possessed by members of trans-border tribes) except rifles, pistols, revolvers, and daggers and ball ammunition and ammunition for rifles, pistols and revolvers.</p>	<p>Those contained in sections 14 and 15.</p>

SCHEDULE V.

(SEE RULE 16.)

Officers empowered to grant licences for export by sea to ports in States or to Foreign Territory.

Officers.	Port from which they may grant licences to export.	Ports to which they may grant licences to export.	Conditions.
1	2	3	4
(1) The Secretary to the Government of Madras in the Judicial Department.	Any port in British India.	Ports in foreign settlements within the political jurisdiction of the Government of Madras.	
(2) The Secretary to the Government of Bombay in the Political Department.	Ditto ...	<p>(i) Ports in Indian States in Bombay or foreign settlements within the political jurisdiction of the Government of Bombay;</p> <p>(ii) ports within the territories of His Highness the Gaekwar of Baroda;</p> <p>(iii) ports within the political jurisdiction of the Political Resident in the Persian Gulf;</p> <p>(iv) any ports on the coast of Africa; and</p> <p>(v) ports within the political jurisdiction of the High Commissioner, Iraq.</p>	For sporting rifles (other than sporting rifles taking ammunition of .303 or of .450 bore), sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of .303 bore or of .450 bore) not intended for sale or for military purposes, but for the personal use of the consignee and for explosives required for commercial purposes.

SCHEDULE V—*contd.*

Officers.	Ports from which they may grant licences to export.	Port to which they may grant licences to export.	Conditions.
1	2	3	4
(3) The Chief Secretary to the Government of Bengal.	Calcutta ...	<p>(i) Ports within the political jurisdiction of the Political Resident in the Persian Gulf; and</p> <p>(ii) ports within the political jurisdiction of the High Commissioner, Iraq.</p>	<p>For sporting rifles (other than sporting rifles taking ammunition of '303 or of '450 bore), sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of '303 or of '450 bore) not intended for sale or for military purposes, but for the personal use of the consignee.</p>
(4) The Commissioner in Sind.	Karachi ...	<p>(i) Ports within the territory of His Highness the Maharao of Kutch;</p> <p>(ii) Ports within the political jurisdiction of the Political Resident in the Persian Gulf; and</p> <p>(iii) Ports within the political jurisdiction of the High Commissioner, Iraq.</p>	<p>For sporting rifles (other than sporting rifles taking ammunition of '303 or of '450 bore), sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of '303 or of '450 bore) not intended for sale or for military purposes, but for the personal use of the consignee.</p>

SCHEDULE V—*conold.*

Officers.	Ports from which they may grant licenses to export.	Ports to which they may grant licenses to export.	Conditions.
1	2	3	4
(b) The Political Resident at Aden.	Aden ...	<p>(i) Any port on the coast of Africa or Arabia (other than a port on the latter coast which is within the political jurisdiction of the High Commissioner, Iraq); and</p> <p>(ii) any port on the coast of Arabia which is within the political jurisdiction of the High Commissioner, Iraq.</p>	For sporting rifles (other than sporting rifles taking ammunition of .303 or of .450 bore), sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of .303 or of .450 bore), not intended for sale or for military purposes, but for the personal use of the consignee.
(6) The Agent to the Governor General in the States of Western India.	Bombay and Karachi.	Any port in any State in Kathiawar or in the Kutch State.	
(7) The Agent to the Governor General and Chief Commissioner in Baluchistan, and the Political Officer, Kalat.	Any port in British India.	Any port on the Makran Coast which is within their respective political jurisdiction.	

SCHEDULE VI.

[SEE RULE 17(1).]

Officers empowered to grant licences for export by land or river to any place beyond the Frontier of British India.

Officers.	Place.	Conditions.
1	2	3
(1) A Secretary to the Government of— (a) Madras, (b) Bombay, or (c) Bengal.	Any State in India	For the export of ammunition intended solely for the use of a public railway or other public work.
(2) The Commissioner of Police in Madras.	Any of the French Settlements in the Madras Presidency.	To persons who would be exempted in British India from the ordinary prohibitions of the Act and subject to the following conditions so far as those conditions apply to the circumstances of the case, namely :— (a) the consignment for export shall consist only of arms and ammunition in reasonable quantities and for personal use ; (b) the consignee shall be one of the persons, or shall belong to one of the classes of persons, mentioned in Schedule I ; and (c) the Commissioner shall keep a list of such licences.
(3) (i) The Commissioner of Police in the towns of— (a) Madras, (b) Bombay, (c) Calcutta, and (d) Rangoon.	Any place in Berar	For the export of arms, ammunition or military stores, except— (i) cannon, (ii) articles designed for torpedo service, (iii) war-rockets, or (iv) machinery for the manufacture of arms or ammunition,

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
1	2	3
(ii) The District Magistrate in other places.		subject to the condition that a copy of the licence shall forthwith be sent to the District Magistrate of the district in Berar to which the arms, ammunition or military stores are consigned.
(4) (i) The Commissioner of Police in the towns of— (a) Madras, and (b) Bombay; and (ii) the Deputy Commissioner of Police in Calcutta.	Any State in India	(a) The consignment for export shall consist only of arms and ammunition in reasonable quantities and for personal use; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39. (c) the Commissioner or Deputy Commissioner shall keep a list of such licences; (d) no such officer may grant a licence for the export to a State in India of any arms in respect of which the prohibition imposed by rule 7 applies unless such arms have been lawfully imported into British India, and are required for the personal use of persons or members of the classes specified in Schedule I.
(5) the District Magistrate of Malabar.	Malabar.	
(6) The Secretary to the Government of Bombay in the Political Department.	Portuguese India.	
(7) (a) The Secretary to the Government of Madras in the Judicial Department. (b) The Chief Secretary to the Government of Bengal.	Pondicherry and the other French Settlements in the Madras Presidency. Chandernagore.	

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
1	2	3
(8) The District Magistrate of Meerut.	(i) Any State in India, and (ii) Kurram, Chitral and Waziristan.	<p>For the export of ammunition only to States in India; and for the export of arms and ammunition to Kurram, Chitral and Waziristan, subject to the following conditions, namely :—</p> <p>(a) the consignment for export shall consist only of sporting ammunition or sporting arms and ammunition in reasonable quantities for the personal use of the consignee;</p> <p>(b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of Rule 39;</p> <p>(c) the Magistrate shall keep a list of all licences issued by him; and</p> <p>(d) copies of licences covering consignments to States in Central India or Rajputana shall be sent to the Agents to the Governor General in Central India and Rajputana, respectively. In the case of Chitral, when the ammunition is to be exported by way of Peshawar, the Magistrate shall send a copy of the licence to the Political Officer for Dir, Swat and Chitral for communication, when necessary, to the Assistant Political Officer in Chitral. If the consignment is forwarded by way of Kashmir, a copy of the licence shall be sent to the Resident. In the case of Waziristan, the Magistrate shall refer to the Political Officer, Tochi, or the Political Officer, Wana, according as the consignment is for Tochi or for elsewhere in Waziristan.</p>

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
1	2	3
(9) The District Magistrate of Rawalpindi.	Kashmir ...	<p>(a) The consignment for export shall consist only of sporting ammunition in reasonable quantities for the personal use of the consignee;</p> <p>(b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso of clause (a) of sub-rule (1) of rule 39; and</p> <p>(c) the Magistrate shall keep a list of all licences issued by him.</p>
(10) The District Magistrates of Delhi, Karachi and Lahore.	Any State in India	Ditto ditto.
<p>(11) (a) The Residents in—</p> <p>(1) Hyderabad,</p> <p>(2) Mysore,</p> <p>(3) Baroda,</p> <p>(4) Kashmir, and</p> <p>(5) Gwalior.</p>	The States with which they are in political relations and any territory within their administrative control.	<p>(a) No licence shall be granted for the export of—</p> <p>(i) cannon, or</p> <p>(ii) military stores of any kind other than sulphur, or</p> <p>(iii) save as hereinafter provided, rifles of .303 or .450 bore or revolvers or pistols of .441, .450 or any intermediate bore, or</p>
<p>(b) The Agents to the Governor General in—</p> <p>(1) Baluchistan, and</p> <p>(2) North-West Frontier Province;</p>		<p>(iv) save as hereinafter provided, ball ammunition which can be fired from rifles or revolvers and pistols of the bores specified in sub-head (iii);</p>
<p>(c) all Political Officers in—</p> <p>(1) Rajputana,</p> <p>(2) Central India, and</p> <p>(3) Kathiawar;</p>		<p>(b) licences for the export of rifles, revolvers or pistols of the bores specified in sub-head (iii) of head (a) may be granted to persons, or members of the classes, specified in Schedule I who are exempted in respect thereof;</p>

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
1	2	3
<p>(d) the Commissioner in Sind ;</p> <p>(e) the Commissioner of the Rajshahi Division ;</p> <p>(f) The Political Officers in —</p> <p>(i) Kolhapur and Southern Maratha Country,</p> <p>(ii) Kutch,</p> <p>(iii) Rewa Kantha,</p> <p>(iv) Mahi Kantha,</p> <p>(v) Savantvadi, and</p> <p>(vi) Palanpur ;</p> <p>(g) all Political Officers in the Punjab ;</p> <p>(h) the Political Officer in Hill Tippera ;</p> <p>(i) the Political Officer, Orissa Feudatory States ;</p> <p>(j) Agent to the Governor General, Madras States.</p> <p>(k) the Political Officers for—</p> <p>(i) Pudukota,</p> <p>(ii) Banganapalle, and</p> <p>(iii) Sandur ;</p> <p>(l) the Political Officers in—</p> <p>(i) Quetta-Pishin,</p> <p>(ii) Sibi, and</p> <p>(iii) Kalat ;</p>		<p>(e) licences for the export of cartridges may be granted to persons, or members of the classes specified in Schedule I who are exempted in respect thereof, subject to the following conditions, namely :—</p> <p>(i) that, save in the case of cartridges for use with rifles of .577/450 and .500/450 bores, the number of such cartridges shall not exceed two hundred in any one year ; and</p> <p>(ii) that the cartridges are for the personal use of the licencees.</p>

SCHEDULE VI—*contd.*

Officers.	Place.	Conditions.
1	2	3
<p>(m) the Collectors and Political Officers in—</p> <p>(i) Surat,</p> <p>(ii) Satara,</p> <p>(iii) Thana,</p> <p>(iv) Kolaba,</p> <p>(v) Dharwar,</p> <p>(vi) Kaira,</p> <p>(vii) Sholapur,</p> <p>(viii) Poona,</p> <p>(ix) Nasik,</p> <p>(x) Bijapur, and</p> <p>(xi) Sukkur ;</p> <p>(n) the Political Officer in Manipur ;</p> <p>(o) the Deputy Commissioner in the Khasi and Jaintia Hills ;</p> <p>(p) the Political Officer in Sikkim ;</p> <p>(q) all Political Officers and Deputy Commissioners in the North West Frontier Province ;</p> <p>(r) the Political Officer, Chhattisgarh Feudatories, and all Civil Officers in the Central Provinces who may have States in India within their political charge ; and</p> <p>(s) the Agents to the Governor for Rampur, Benares and Tehri States.</p>		

SCHEDULE VI—*concl'd.*

Officers.	Place.	Conditions.
1	2	3
(12) (a) The Secretary to the Government of Bombay in the Political Department ; and (b) the Chief Secretary to the Government of Bengal.	Any place within the political jurisdiction of His Britannic Majesty's Consul General and Agent of the Government of India in Khorasan or of His Britannic Majesty's Consul for Sistan and Kain.	
(13) The Chief Secretary to the Government of Burma.	Any State in India within the political charge of the Government of Burma, and any place in Siam or China.	Subject, in the case of export to Siam or China, to the condition that the consignee has obtained sanction to the import of the consignment from the Siamese or Chinese authorities concerned.
(14) The Commanding Officer of a Gurkha Battalion.	Nepal ...	For the export of kukris in the possession of discharged Gurkha sepoys on their departure from the battalion to Nepal.
(15) The British Envoy at the Court of Nepal.	Nepal ...	For the export of shot-gun ammunition to discharged or pensioned officers, non-commissioned officers or men of Gurkha Regiments."

SCHEDULE VII.

[SEE RULE 46 (8).]

Persons to whom no fee is chargeable for a licence in Form XVI in respect of certain arms.

Persons.	Arms and ammunition.
(1) (a) Any Warrant Officer, Non-commissioned Officer, or soldier in His Majesty's Military Forces, British or Indian, or in the Auxiliary Force, India, or in the Indian Territorial Force, and any Warrant Officer of the Royal Indian Marine,	All.
(b) any Indian Officer within the meaning of section 7(2) of the Indian Army Act, 1911 (VIII of 1911), whether in service or retired and in receipt as such of a pension, or	
(c) any person who was enrolled as a member of a corps of volunteers under the Indian Volunteers Act, 1869 (XX of 1869), or who was a member of the Indian Defence Force, and who has been awarded the Volunteer Officer's Decoration or the Long Service Medal.	
(d) Indian Officers of the Burma Military Police, Assam Rifles and Eastern Frontier Rifles whether in service or retired and in receipt as such of a pension, and	
(e) non-commissioned officers and men of the Burma Military Police, Assam Rifles and Eastern Frontier Rifles nominated in this behalf by Commandants of Battalions to a number not exceeding five in each Company,	

SCHEDULE VII—*contd.*

Persons.	Arms and ammunition.
<p>(2) (a) Any person below the rank of commissioned officer who has been discharged from His Majesty's naval, military or air forces and who is in receipt as such of a pension or has been transferred to the Army Reserve or the Indian Army Reserve and who is designated in this behalf by the officer commanding his unit or department, or</p>	<p>Such arms as were actually in a person's possession at the time of his discharge, together with a reasonable quantity of ammunition for the same.</p>
<p>(b) any person below the rank of commissioned officer who have been discharged from any unit of the Imperial Service Troops or Indian State Forces and who is in receipt as such of a pension and who is designated in this behalf by the officer commanding the unit,</p>	
<p>(3) Any ex-officer of His Majesty's naval, military or air forces, so long as he is entitled to wear the uniform of such force or any officer of the Indian Army Reserve after release from army service.</p>	<p>Revolvers or automatic pistols which formed part of equipment when in employment as such officer together with a reasonable quantity of ammunition for the same.</p>
<p>(4) Any officer of a Volunteer Corps, the Indian Defence Force, the Auxiliary Force, India, or the Indian Territorial Force, who has been granted honorary rank on retirement and permitted to wear the uniform of such corps or force.</p>	<p>Arms which formed part of equipment when employment as such officer, together with, where necessary, a reasonable quantity of ammunition for the same.</p>
<p>(5) Retired police officers who are permitted to wear on ceremonial occasions or when calling on Government officials the uniform of the rank which they held in the force at the time of retirement.</p>	<p>Revolvers which formed part of equipment as a police officer, together with a reasonable quantity of ammunition for the same.</p>

SCHEDULE VII—*consolid.*

Persons.	Arms and ammunition.
(6) The heirs or successors of persons holding swords or other arms received by them as gifts from the Governor General in Council or a local Government.	Such arms as were received as gifts, together with, where necessary, a reasonable quantity of ammunition for the same.
(7) Government servants whose possession of arms—such possession not being exempt from the provisions of the Act under section 1 (b) thereof—is declared by the local Government to be in the public interest.	Such arms and ammunition as are specified in the declaration.

[NOTE.—The Governor in Council is pleased to designate the following Government servants as persons who are required to possess the arms and ammunition described against each for the adequate discharge of their duty :—

1. The Deputy Commissioner of the Naga Hills	...	One revolver or pistol with 100 rounds of ammunition.
2. The Subdivisional Officer, Mokokchang...	...	Ditto.
3. The Superintendent, Lushai Hills	...	Ditto.
4. The Subdivisional Officer, Lungleh	...	Ditto.
5. The Political Officer, Sadiya Frontier Tract	...	Ditto.
6. The Political Officer, Balipara Frontier Tract	...	Ditto.
7. The Assistant to the Political Officer, Pasighat	...	Ditto.
8. The Assistant to the Political Officer, Sadiya.	...	Ditto.

(Notification No. 689G.J., dated the 16th February 1924.)]

SCHEDULE VIII.

[SEE RULE 2.]

FORM I.

(SEE RULES 5, 23 AND 30.)

FREE OF ALL FEE.

Licence for the ^{import, transport}_{possession} of cannon, articles designed for torpedo service, war rockets or machinery for the manufacture of arms or ammunition.

Name, description, and residence of licensee and agent (if any).	Number of packages.	Description, with specification of nature of cannon or other articles.	Number of articles.	Columns to be filled in case of import or transport.			Period for which the licence is valid.	Use to which the articles are to be put.
				Place of despatch and route.	Place of destination.	Name, description and residence of consignee.		
1	2	3	4	5	6	7	8	9
							From the _____ To the _____ _____ 10 .	

The _____ of _____ 19 . { Date on which a copy is sent to the Commissioner of Police _____ (Signature.)
District Magistrate of the _____ district. (Seal.)

*Secy. to the Govt. of India,
Home Department.*

The _____ of _____ 19 .

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. In cases of import or transport—

(a) bulk shall not be broken before the articles reach the place of destination, and

(b) the articles shall be delivered only to a person lawfully entitled to receive them.

3. In cases of import by land or river, or of transport, an account of the contents of each package shall be legibly written thereon.

4. In cases of transport by rail, each package shall be marked with the word "cannon," or as the case may be, in such a manner as to be readily recognizable by the railway authorities.

SCHEDULE VIII—*contd.*

FORM II.

(SEE RULES 8 AND 9.)

FEE—

- (a) where granted under rule 8 (a), FREE OF ALL FEE ;
 (b) where granted under rule 9, ONE RUPEE;
 (c) in any other case, TEN RUPEES.

Licence for the import of arms, ammunition or military stores into the port of _____

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		for which purpose required.	Value of the firearms per piece.	Place where articles are to be deposited or to which they are to be despatched.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10
									From the _____ _____ to the _____ _____ 10 .

The _____ of _____ 19 . {  (Signature.)
 Commissioner of Police
 District Magistrate of the
 district.
 Secretary to the Government of
 Madras.

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. An account of the contents of each package shall be legibly written thereon.

The articles shall be either—

(a) deposited at Aden in such Government warehouse as the Political Resident may from time to time appoint in this behalf, and elsewhere—

(i) in a warehouse appointed under section 17 of the Sea Customs Act, 1878, or

(ii) subject to the general or special sanction of the local Government under section 7 of the Indian Arms Act, 1878, in a warehouse licensed under section 16 of the Sea Customs Act, 1878, or

(b) forthwith despatched to their place of destination. -

SCHEDULE VIII—*contd.*

FORM III.

(SEE RULE 10.)

FEE—

(a) where granted under rule 10 (1), FIVE RUPEES ;

(b) where granted under rule 10 (2), FREE OF ALL FEE.

Licence for the import of arms, ammunition or military stores by land or river.

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11
										From the _____ _____ _____ 19 .

(Signatures.)

Commissioner of Police _____

District Magistrate of the _____ district

Political Officer for the _____ State.

Seal.

Date on which a copy is sent to the

The _____
of _____
_____ 19 .

{ Political Officer for the _____ State [rule 10(3)].
 { District Magistrate of the _____ district [rule 10 (4)].
 { Station Master at the _____ station [rule 10 (6)].

The _____ of _____ 19 .

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 7 ; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon ; and where the articles are conveyed by rail, each package shall be marked with the word or expression " Arms, " " Ammunition " or " Military Stores, " as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VIII—contd.

FORM IV.

(SEE RULE 15.)

FEE—

(a) where granted under rule 15(2) (a) to (d), TEN RUPEES, or, in the case referred to in rule 48(2), ONE RUPEE—

(b) where granted under rule 15(2) (e), FREE OF ALL FEE.

Licence for the export by sea of arms, ammunition or military stores from the port of _____ to the port of _____.

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Port to which consignment is to be despatched.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.		
1	2	3	4	5	6	7	8
							From the _____ _____ to the _____ _____ _____

The _____ of _____ 19 . { Date on which the previous sanction of the
Commissioner of Police, _____
District Magistrate of the _____ district
is obtained [rule 39 (1)].

The _____ of _____ 19 . { Date on which a copy is sent to the
Commissioner of Police, _____
District Magistrate of the _____ district
[rule 15 (4)].

The _____ of _____ 19 .

(Signature.)

Seal.

Commissioner of Police, _____
District Magistrate of the _____ district.

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. Where the consignment is to be despatched to an Indian port, the licence shall not be valid for export to any port other than that entered in column 7.

SCHEDULE VIII—*contd.*

FORM V.

(SEE RULE 16.)

FEE—FIVE RUPEES.

Licence for the export by sea of arms, ammunition or military stores from the port of _____ to the port of _____.

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purposes for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11
										From the _____ to the _____ _____ 19 .

(Signature.)

*Secretary to the Government of India, Foreign and Political Deptt.
Officer specially empowered under rule 16.*

The ____ of ____ 19 . { Date on which a copy is sent to the
(1) Political Officer or Political Resident [rule 16(2)].
(2) Agent or Master of vessel at the.....port [rule 16(3)].

The ____ of ____ 19 .

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1873, and of the Indian Arms Rules, 1924.
2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, or the consignment stopped, before the articles reach the place of destination.
3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VIII—*contd.*

FORM VI.

(SEE RULE 17.)

FEE—FIVE RUPEES.

Licence for the export by land or river of— { *arms, ammunition or military stores to _____ in the _____ State.*
arms, ammunition or military stores to the _____ State in political relations with the Government of _____

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11
										From the _____
										to the _____
										_____ 19 .

The _____ of _____ 19 . { Date on which the previous sanction of the Political Officer for the _____ State
 Commissioner of Police, _____
 District Magistrate of the _____ district is obtained [rule 30(1)].

The _____ of _____ 19 . { Date on which a copy is sent to the Political Officer for the _____ State [rule 17(3)].
 District Magistrate of the _____ district [rule 17(4)].
 Commissioner of Police, _____ [rule 17(5) (a)].
 District Magistrate of the _____ district [rule 17(5) (a)].
 Station Master at the _____ Ry. Station [rule 17(5) (b)].

The _____ of _____ 19 .

(Signature.)

Secretary to the Govt.
of India, Political
Department.

Officer specially em-
powered under rule 17.

Secy. to the Govt. of _____

SCHEDULE VIII—*contd.*FORM No. VI—*concl'd.**Conditions.*

1. The licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VIII—*contd.*

FORM VII.

(SEE RULE 24.)

FEE—TEN RUPEES.

Licence for the transport of arms, ammunition or military stores.

Name, description and residence of licensee and agent (if any) authorised for the purpose of this consignment.	Licencee's place of business, if any.	Number of packages.	Arms.		Ammunition or Military Stores.		Place of consignment and mode of transit.	Place of destination.	Number, description and residence of consignee.	Period for which the licence is valid.
			Description.	Number.	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10	11
										From the _____ to the _____ 19 .

The _____ of _____ 19 . { Date on which the previous sanction of the Commissioner of Police, _____

_____ 19 . { District Magistrate of the _____ district is obtained [rule 39(1)].

The _____ of _____ 19 . { Date on which a copy is sent to the Commissioner of Police—[rule 24(2) (a)].

_____ 19 . { District Magistrate of the _____ district [rule 24 (2) (b)].

The _____ of _____ 19 . { Magistrate at _____ [rule 24(3)].

(Signature.)

Commissioner of
Police,
District Magistrate of the
_____ district.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 8; and bulk shall not be broken, nor shall the consignment be stopped before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

4. The articles shall be delivered only to a person lawfully entitled to receive them.

SCHEDULE VIII—*contd.*FORM No. VIII—*contd.*

(SEE RULES 26 AND 27.)

FEE—TEN RUPEES.

Licence for the import, transport and re-export, export and re-import of arms, ammunition or military stores.

Name, description and residences of licensee and agent (if any) authorised for the purpose of this consignment.	Licencee's place of business, if any.	Number of packages	Arms.		Ammunition or Military stores		Place of despatch, route and mode of transit.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
			Description.	Number.	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10	11
										From the _____ _____ to the _____ _____ _____ 19 ____

(Signature.)

The _____	{ Date on which a copy is sent to (a) Political Officer _____ licensing authority concerned [rules 26 (2) (a), 27 (2)]. (b) Magistrate of—District _____ [rule 26(3) 27(2)(b)]. (c) Station Master at the _____ —Railway Station [rule 26(2) (a) 27(2) (a)].	Political Officer.
of _____		Officer specially empowered under rule 27.
The _____ 19 ____		_____ State.

SCHEDULE VIII—*contd.*FORM No. VIII—*concl'd.**Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 8 ; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon ; and where the articles are conveyed by rail, each package shall be marked with the word or expression " Arms," " Ammunition " or " Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

4. The articles shall be delivered only to a person lawfully entitled to receive them.

SCHEDULE VIII—*contd.*

FORM IX.

[SEE RULE 28 (1) (a).]

FEE—TWENTY RUPEES.

Licence to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).

Serial number of licence.	Name, description and residence of licensee and of duly authorized agent or agents, if any.	Place of business, factory or shop.	Description and number of arms.		Description and quantity of ammunition or military stores.		Date on which the licence expires.
			To be manufactured or converted.	To be sold or kept for sale.	To be manufactured.	To be sold or kept for sale.	
1	2	3	4	5	6	7	8
							<i>In Burma—</i> The 31st March, 19 . <i>Elsewhere—</i> The 31st December, 19 .

(Signature)

The

of

19 .

(Seal.)

Commissioner of Police

District Magistrate of the _____ district.

SCHEDULE VIII—*contd.*FORM IX—*contd.**Form for renewal of the licence.*

Date and year of renewal.	Date on which the renewed licence expires.	Signature of Commissioner of Police or District Magistrate.

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The licensee shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales in such form as the Local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or, if the Local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the vernacular of the district his name and the words "Licensed to manufacture (or "Licensed to deal in", as the case may be) arms, ammunition and military stores."

(2) He shall also affix in his place of business, factory or shop a copy of section 28 of the Indian Arms Act, 1878, either in English or in the vernacular of the district.

SCHEDULE VIII—contd.**FORM IX—*co id.****Conditions—contd.*

5 He shall at the time of purchase of arms, in the North West Frontier Province at the time of purchase of all ammunition and elsewhere at the time of purchase of ammunition for rifles other than .22 bore, revolver, or pistols, endorse upon the licence of every purchaser holding a licence in Form XVI, XVII, XVIII, XIX or XX—

- (a) the name, description and residence of the person who takes delivery of the articles sold,
- (b) the nature and quantity of the articles sold, and
- (c) the date of sale,

and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the local Government may direct.

8. He shall not sell to any person, licensed to possess or carry arms, ammunition in excess of the maximum which may be fixed by the local Government for such persons and which is endorsed on such person's licence.

9 He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Force, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. He shall not keep Government arms, ammunition or military stores, or, unless he is specially authorised in this behalf by the Local Government or, in Sind, by the Commissioner in Sind, keep or sell revolvers manufactured out of India or magazine pistols.

Explanation.—For the purposes of this condition—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government; and
- (b) "Government ammunition," and "Government military stores," mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

12. Where the licence is granted in and for any local area in Bengal or Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the local Government may from time to time by notification apply this condition.

[NOTE.—See Judicial Department Notification No. 664G.J., dated the 17th February 1923, and letter No. C.P.—48—683—86G.J., dated the 20th February 1923, printed as paragraph 41 in Chapter IV.]

SCHEDULE VIII—*contd.*FORM IX—*concl'd.**Conditions—concl'd.*

13. (1) When the licence is granted in and for any local area in Burma the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person reside in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

(a) any person who is exempted under entry (1), (4) or (6) (c) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in a list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

14. (1) Where the licence is granted in and for any local area in the North-West Frontier Province or the Dera Ghazi Khan district or the Lakel talhsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

(a) any person who is exempted under entry (1), (2), (3), (4), or 6(d) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (8) and (9) of Schedule IV to those Rules as withdrawn from the operation of certain sections of that Act, or

(c) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

15. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the licence.

SCHEDULE VIII—*contd.*

FORM X.

[SEE RULE 28 (1) (b).]

FEE—TEN RUPEES.

License to sell and keep for sale arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).

Serial number of licence.	Name, description and residence of licensee and of duly authorized agent or agents, if any.	Place of business or shop.	Description and number of arms.	Description and quantity of ammunition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					<i>In Burma—</i> The 31st March 19 . <i>Elsewhere—</i> The 31st December 19 .

(Signature.)

The — of — 19 .

Seal.

 Commissioner of Police, _____
 District Magistrate of the — district.

SCHEDULE VIII—*contd.*FORM X—*contd.**Conditions—contd.*

(2) He shall also affix in his place of business or shop a copy of section 23 of the Indian Arms Act, 1878, in English or in the vernacular of the district.

5. He shall at the time of purchase of arms, in the North-West Frontier Province at the time of purchase of all ammunition and elsewhere at the time of purchase of ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form XVI, XVII, XVIII, XIX or XX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the local Government may direct.

8. He shall not sell to any person licensed to possess or carry arms, ammunition in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on such person's licence.

9. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorised in this behalf by the local Government or, in Sind, by the Commissioner in Sind, keep or sell revolvers manufactured out of India or magazine pistols.

Explanation.—For the purpose of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean, respectively, ammunition and military stores manufactured in any Government factory or prepared for and supplied to Government.

12. Where the licence is granted in and for any local area in Bengal or Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the local Government may from time to time by notification apply this condition. [*Note.*—See note to condition 12 of licence in form IX.]

SCHEDULE VIII—*contd.*FORM X—*concl'd.**Conditions—concl'd.*

13. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell any arms, ammunition or military stores to, or for the use of any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person resides in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

- (a) any person who is exempted under entry (1), (4) or 6 (a) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or
- (b) any person whose name is included in any list compiled by that district Magistrate for this purpose, and who declares that he purchases for his own use.

14. (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isakhel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

- (a) any person who is exempted under entry (1), (2), (3), (4) or 6 (d) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in section 13 to 16 of the Indian Arms Act, 1878, or
- (b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (8) and (9) of Schedule IV to those Rules as withdrawn from the operation of certain sections of that Act, or
- (c) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

15. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the licence.

SCHEDULE VIII—*contd.*

FORM XI.

[SEE RULE 28 (2) (a)]

FEE—(a) where the licensee holds a licence in Form IX, **FREE OF ALL CHARGE.**

(b) in all other cases, **TWENTY RUPEES.**

Licence to manufacture, convert, sell or keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of licence, and of duly authorised agent or agents if any.	Name, description and residence of licensee.	Place of business, factory or shop.	Description and number of arms		Description and quantity of ammunition or Military stores.		Date on which licence expires.
			To be manufactured or converted.	To be sold or kept for sale.	To be manufactured.	To be sold or kept for sale.	
1	2	3	4	5	6	7	8
							<i>In Burma—</i> The 31st March, 19 . <i>Elsewhere—</i> The 31st December 19 .

Signature.

Secretary to the

Seal.

The—of—19 .

Commissioner in Sind.

SCHEDULE VIII—*contd.*FORM XI—*contd.**Conditions—contd.*

5. He shall at the time of purchase of arms, in the North-West Frontier Province at the time of purchase of all ammunition and elsewhere at the time of purchase of ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form XVI, XVII, XVIII, XIX, or XX—

(a) the name, description and residence of the person who takes delivery of the article sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the local Government may direct.

8. He shall not sell breech-loading rifles, rifle ammunition of military stores for rifles elsewhere than at the place of business, factory or shop specified in column 3:

9. He shall not keep Government arms, ammunition or military stores.

Explanation.—For the purpose of this condition,—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. (1) Where the licence is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person resides in Rangoon.

SCHEDULE VIII—*contd.*FORM XI—*concl'd.**Conditions—concl'd.*

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

(a) any person who is exempted under entry (1), (4), or (6) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

12. (1) Where the licence is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isakhel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

(a) any person who is exempted under entry (1), (2), (3), (4), or (6) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

13. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the licence.

SCHEDULE VIII—*contd.*

FORM XII.

[SEE RULE 28(2)].

FEE—(a) where the licensee already holds a licence in Form X, **FREE OF ALL CHARGE**;

(b) in all other cases, **TEN RUPEES**.

Licence to sell and keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of licence.	Name, description and residence of licensee and of duly authorised agent or agents, if any.	Place of business or shop.	Description and number of arms.	Description and quantity of ammunition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					<p><i>In Burma—</i> The 31st March, 19</p> <p><i>Elsewhere—</i> The 31st December 19 .</p>

(Signature.)
 Secretary to the _____
 Commissioner in Sindh.

The _____ of _____ 19 .

SCHEDULE VIII—*contd.*FORM XII—*contd.**Conditions—contd.*

5. He shall at the time of purchase of arms, in the North-West Frontier Province at the time of purchase of all ammunition, and elsewhere at the time of purchasing ammunition for rifles other than .22 bore, revolvers or pistol, endorse upon the licence of every purchaser holding a licence in Form XVI XVII, XVIII, XIX or XX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the local Government may direct.

8. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

9. He shall not keep Government arms, ammunition or military stores.

Explanation.—For the purposes of this condition,—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. (1) Where the licence is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person resides in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

(a) any person who is exempted under entry (1), (4), or 6(c) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

SCHEDULE VIII—*contd.*FORM XII—*concl'd.**Conditions—concl'd.*

- (b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

12. (1) Where the licence is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isakhel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of,—

- (a) any person who is exempted under entry (1), (2), (3), (4), or (6) (a) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 18 to 16 of the Indian Arms Act, 1878, or

- (b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

13. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the licence.

SCHEDULE VIII—*contd.*

FORM XIII.

(SEE RULE 29.)

FREE OF ALL FEE.

Licence for the possession by holders of licences in Form IX, X, XI or XII of firearms and ammunition deposited by their owners for safe keeping.

Name, description, and residence of licensee and of duly authorised agent or agents, if any.	Description of firearms.	Place (with description, where articles are to be kept).	*Period for which the licence is valid.
1	2	3	4

(Signature.)

The _____ of _____ 19 _____



Commissioner of Police, _____

District Magistrate of the _____
district.Sub-divisional Magistrate, _____
District*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only firearms and ammunition of the description given in column 2 so long as they are kept in the place described in column 3, but does not authorise the licensee—

- (i) to go armed, or
- (ii) to keep Government arms or ammunition.

Explanation.—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of Government; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

*Note.—A licence in this form will be granted for a period ending on the day on which the licensee's licence in Form IX, X, XI or XII as the case may be, is due to expire.

SCHEDULE VIII—*contd.***FORM XIII—*concl'd.******Conditions—concl'd.***

3. The licensee shall maintain a register of all arms and ammunition in his possession under this licence in such form as the local Government may direct.

4. He shall exhibit such arms and ammunition and his register on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or if the local Government so directs, of Sub-Inspector.

5. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms or ammunition covered by the licence.

SCHEDULE VIII—*contd.*

FORM XIV.

(SEE RULE 81.)

FREE OF ALL FEE.

Licence for the possession of arms (other than pistols or revolvers), ammunition or military stores.

Name, description and residence of licensee and agent (if any).	Number and description of arms.	AMMUNITION OR MILITARY STORES.		Place (with description where articles are to be kept).	Period for which the licence is valid.
		Description.	Quantity.		
1	2	3	4	5	6

(Signature.)

Commissioner of Police, _____

Seal.

District Magistrate of the _____
District.

The _____ of _____ 19 _____.

Sub-divisional Magistrate, _____
District

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the arms, ammunition and stores specified in columns 2, 3 and 4 so long as they are kept in the place described in column 5, but does not authorise the licensee—

(i) to go armed, or

(ii) to keep Government arms or ammunition.

*Note.—A licence in this form may be granted for any period not exceeding three years.

SCHEDULE VIII—*contd.*FORM NO. XIV—*concl'd.**Conditions—concl'd.*

Explanation.—For the purposes of this condition,—

- (a) "Government arm " means a firearm or other weapon which is the property of the Government; and
- (b) "Government ammunition " means ammunition manufactured in any Government factory, prepared for and supplied to Government.

3. Condition 2 (ii) may be cancelled by the authority granting the licence, if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

4. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

5 The authority granting the licence has the right to enquire at any time during the currency of the licence, whether the weapon for which it has been granted is still in the possession of the licensee, and may require the production of the weapon for the purpose of such an inquiry.

SCHEDULE VIII—*contd.*

FORM XV.

(See Rule 32.)

Fee—

- (a) For each breech-loading pistol or revolver—*Ten rupees* ;
 (b) for any other breech-loading weapon—*Five rupees* ;
 (c) for other weapons—*Eight annas* in disarmed districts, and *Four annas* elsewhere, for each weapon.

The abovementioned fees are for licences granted for periods of one year or less. A licence in this form may be granted for any period exceeding one year and not exceeding three years, in which case a compounded fee shall be levied.

License for the possession and use, for the purpose of target practice, of fire-arms and ammunition.

Serial number of licence.	Name, description and location of mess, club or association.	Arms or ammunition that licensee is entitled to possess.		Place within which the licence is valid.	Date on which the licence expires.
		Description.	Quantity.		
1	2	3	4	5	6


 Seal.

To _____ of _____ 19 ____ .

(Signature.)

Commissioner of Police, _____

District Magistrate of the _____ district.

Subdivisional Magistrate of the _____ district.

SCHEDULE VIII—*contd.*FORM XV—*concl'd.**Conditions.*

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1924.

2. It covers only the mess, club or association named and the arms and ammunition described therein.

3. The mess, club or association, at the time of purchasing any new arms, and in the North-West Frontier Provinces at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles other than .22 bore, revolvers or pistols shall cause the following particulars to be endorsed upon its licence under the vendor's signature, namely :—

- (a) the name, description and residence of the person who takes delivery of the articles purchased on behalf of the mess, club or association ;
- (b) the nature and quantity of the articles purchased ; and
- (c) the date of purchase ;

and if the arms or ammunition are purchased from any person other than a licensed dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this license within such period as may be prescribed by that authority for this purpose.

4. The mess, club or association shall not purchase ammunition in excess of the maximum which may, from time to time, be fixed by the local Government.

5. The mess, club or association shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

6. The license does not authorise any member of the mess, club or association to keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government ;
- (b) "Government ammunition" means ammunition manufactured in a Government factory or prepared for and supplied to Government.

7. The local Government may require any firearm or ammunition possessed by the mess, club or association to be registered in such manner as the local Government thinks fit.

8. The authority granting the licence has the right to inquire at any time during the currency of the licence whether the weapons for which it has been granted are still in the possession of the mess, club or association and to require the production of such weapons for the purposes of such inquiry.

SCHEDULE VIII—*contd.*

FORM XVI.

(SEE RULE 33.)

FEE—

I. (a) If the license is granted for ammunition of the kind referred to in Rule 33(1), proviso (i). *Free of all fee.*

(b) In Burma, the North-West Frontier Province and the Attock District of the Punjab, if the license is granted for the purposes of village defence, *free of all fee*, otherwise:—

(i) in di armed districts, *eight annas*, and

(ii) elsewhere, *four annas*,

for each weapon ; and

(c) elsewhere in British India—

(i) for a breech-loading pistol or revolver, *Ten Rupees*,

(ii) for any other breech-loading weapon, *Five Rupees*,

(iii) for other weapons *eight annas* in disarmed districts and *four annas* elsewhere,

for each weapon.

II. The abovementioned fees are payable in respect of licences granted for the first time for periods of one year or less. Should the licence be renewed for a further period, and unless the licence is free of all fee, the following fees shall be payable in respect of each renewal for a period of one year or less—

(i) in cases to which clause (b) in paragraph I applies, the same fees and,

(ii) in cases to which clause (c) in paragraph I applies, *five rupees*, *rupees two and annas eight*, and *annas eight or annas four*, respectively, provided that in such cases application for renewal is made within one month of the date on which the licence expires and if application is not made within that period, the licensing authority may, in his discretion, levy fees at the original rate.

[Note.—See details in Home Department letter No. F.31—XIX—24Police, dated the 16th May 1924, printed as No. 11 in Chapter III.]

III. A licence in this form may be granted or renewed for any period not exceeding three years, and if the period for which a licence is granted or renewed exceeds one year, the fee shall, subject to the proviso to clause (i) in paragraph II, be levied at the annual rates hereinbefore prescribed for grant or renewal, as the case may be.

SCHEDULE VIII—*contd.*FORM XVI—*contd.*

License for the possession of arms and ammunition and for going armed for
sport.
the purposes of protection.
display.

Serial number of license.	Name, description and residence of licensee and agent, if any.	Arms or ammunition that licensee is entitled to possess.		Retainers (if any) covered by the licence.					Extent of validity of licence, i.e., throughout India, province or district.	Date on which licence expires.		
		Brief description of each weapon with details, e.g., distinguishing marks register No., etc.	Quantity and description of each kind of ammunition.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms or ammunition that retainer is entitled to possess.					
							As in column 3.	As in column 4.				
1	2	3	4	5	6	7	8	9	10	11		

Seal.

The _____ of _____ 19 .

(Signature.)

Commissioner of Police.

Deputy Commissioner of Police.

Assistant Commissioner of Police.

District Magistrate of the _____ District.

Subdivisional Magistrate of the _____ District.

SCHEDULE VIII—*contd.*FORM XVI—*contd.**Form of renewal of licence.*

Date and year.	Date on which renewed licence expires.	Signature.
		<div data-bbox="546 454 668 539" style="border: 1px solid black; padding: 2px; margin-bottom: 10px;">Seal.</div> <div data-bbox="585 548 969 821"> <u>Commissioner of Police.</u> <u>Deputy Commissioner of Police.</u> <u>Assistant Commissioner of Police.</u> District Magistrate, _____ District. Subdivisional Magistrate, _____ Subdivision. _____ District. </div>
		<div data-bbox="546 849 668 932" style="border: 1px solid black; padding: 2px; margin-bottom: 10px;">Seal.</div> <div data-bbox="585 942 969 1287"> <u>Commissioner of Police.</u> <u>Deputy Commissioner of Police.</u> <u>Assistant Commissioner of Police.</u> District Magistrate, _____ District. Subdivisional Magistrate, _____ Subdivision. _____ District. </div>

SCHEDULE VIII—*contd.*FORM XVI—*contd.**Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 5.

3. This licence is valid to the extent specified in column 10, subject in the case of a licence having effect outside the province in which it is granted or renewed to any restrictions which may be imposed by any general or special order of a local Government in respect of the territories administered by it or subject to its control.

4. The licensee or any retainer acting under this licence shall not go armed with any arms covered thereby otherwise than in good faith for the

purpose of sport
protection; and, save where he is specially authorised in
display

this behalf, in any Presidency-town or Rangoon, by the Commissioner of Police, or, in any other place, by the District Magistrate or a Sub-divisional Magistrate, he shall not take any such arms to a fair, religious procession or other public assemblage.

5. The licensee, at the time of purchasing any new arms, in the North-West Frontier Province at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles, other than .22 bore, revolvers and pistols shall cause the following particulars to be endorsed upon his licence under the vendor's signature, namely,—

(a) the name, description and residence of the person who takes delivery of the articles purchased;

(b) the nature and quantity of the articles purchased;

(c) the date of purchase;

and if the arms or ammunition are purchased from any person other than a licensed dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed for this purpose by such authority.

6. He shall not purchase ammunition for rifles, other than .22 bore revolvers and pistols in excess of the maximum which may from time to time be fixed by the local Government.

7. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

8. He shall not possess Government arms and ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government, and

SCHEDULE VIII—*contd.*FORM XVI—*concl'd.**Conditions—concl'd.*

"(b) Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

9. Condition 8 may be cancelled by the authority granting the licence if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

10. Where the licence is granted for the purpose of sport, the licensee or any retainer acting under the licence shall observe such close season as may be prescribed by the local Government in respect of the game-birds and animals hereinafter set forth below. [See appendix—chapter V—section C.]

11. The licensee shall report any change of his permanent residence to the authority who granted him the licence, and, in case of any such change, whether permanent or temporary, he may, at his option, apply to the nearest licensing authority for renewal of this licence should it be necessary.

12. The authority granting the licence has the right to enquire at any time during the currency of the licence whether the weapon or weapons for which it has been granted is or are still in the possession of the licensee, and to require its or their production for the purposes of such inquiry.

NOTE.—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

SCHEDULE VIII—*contd.*

FORM XVII.

(SEE RULE 34.)

FEE FOR EACH WEAPON ONE RUPEE.

Temporary licence for the possession of arms and going armed during the period occupied in journeying from the port or other place of arrival in British India to place of destination.

Name and description of licensee.	Arms or ammunition that licensee is entitled to possess.		Place of destination.	Period for which the licence is valid.
	Brief description of each weapon.	Quantity and description of each kind of ammunition.		
1	2	3	4	5

Date on which copy is sent to the

The _____ of _____ 19 ____ .



Commissioner of Police _____
 District Magistrate _____ District.
 Political Officer of _____ State.

(Sd.) _____

Commissioner of Police _____
 District Magistrate _____ District.

The _____ of _____ 19 ____ .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.
2. It covers only the persons named, and the arms and ammunition, described therein.

SCHEDULE VIII—*contd.*FORM XVII—*concl'd.**Conditions—concl'd.*

3. The licensee shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

The licensee shall not go armed with Government arms or ammunition.

Explanation.—For the purposes of this condition—

“Government arm” means a firearm or other weapon which is the property of the Government; and

“Government ammunition” means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

5. Condition 4 may be cancelled by the authority granting the licence if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

6. The licensee shall, on arrival at his destination, if such place is situated in British India or Berar, forthwith apply to the nearest licensing authority for a licence in Form XIV or Form XVI in respect of the arms and ammunition described herein and shall at the same time deliver this licence in original to that authority.

NOTE.—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

SCHEDULE VIII—*contd.*

FORM XVIII.

(SEE RULE 35.)

FREE OF ALL FEE.

Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.

Name, description and residence of licensee.	Arms and Ammunition.		Place or area for which the licence is granted.	Specification of the wild beasts which may be destroyed under this licence.	Period for which the licence is valid.	Title and residence of Magistrate to whom the licence and weapon must be shown between the 15th November and the 31st December.
	Brief description of each weapon with details, e.g., registered No. and other distinguishing marks.	Quantity and description of each kind of ammunition.				
1	2	3	4	5	6	7

Seal.

(Signature.)

District Magistrate of the _____ district.
 Subdivisional Magistrate, _____ district.

The _____ of _____ 19 ____.

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. Once every year, between the 15th November and the 31st December the licensee, shall produce this licence and every weapon covered thereby before the Magistrate referred to in column 7.

3. He shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms to a fair, religious procession or other public assemblage, or to any considerable distance beyond the place or area entered in column 4.

§ *Note.*—A licence in this form may be granted for any period not exceeding three years.

SCHEDULE VIII—*contd.*FORM XVIII—*concl'd.**Conditions—concl'd.*

4. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

5. He shall not keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

6. Condition 5 may be cancelled by the authority granting the licence if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

7. The licensee shall not purchase rifle, revolver or pistol ammunition in excess of the maximum which may from time to time be fixed by the local Government.

8. At the time of purchasing any new arms, in the North-West Frontier Province at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles, other than .22 bore, revolvers and pistol he shall cause the following particulars to be endorsed upon his licence under the vendor's signature, namely,—

(a) the name, description and residence of the person who takes delivery of the articles purchased;

(b) the nature and quantity of the articles purchased; and

(c) the date of purchase;

and if the arms are purchased from any person other than a licensed dealer, shall also cause the particulars specified in clauses (b) and (c) to be furnished, in writing, to the authority who granted this licence within such period as may be prescribed for this purpose by such authority.

9. Without prejudice to the voidance of this licence for breach of any of the foregoing conditions, it shall be void if—

(a) the licensee dies, or

(b) any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

10. The authority granting the licence has the right to inquire at any time during the currency of the licence whether any weapon for which it has been granted is still in the possession of the licensee and to require the production of the weapon for the purposes of such inquiry.

Note.—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878)

SCHEDULE VIII—*contd.*

FORM XIX.

(SEE RULE 36.)

FREE OF ALL FEE.

Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.

Name, description and residence of licensee.	Name and description of any member of the licensee's family, or servant employed to watch crops or cattle, residing with him, by whom the arms covered by this licence may be also used.	ARMS AND AMMUNITION.		Place or area within which the licence is valid.	* Period for which the licence is valid.
		Brief description of each weapon with details, e.g., Registered No. and other distinguishing marks.	Quantity and description of each kind of ammunition.		
1	2	3	4	5	6

District Magistrate of the _____ district.
Subdivisional Magistrate _____ district.

The _____ of _____ 19 .

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The licensee shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the licence.

3. He shall not use any arms covered by this licence otherwise than in the place or area in which the licence is valid.

4. He shall not lend any arms or ammunition covered by this licence to any person, other than a member of his family, or servant who may be employed by him to protect the crops or cattle situated in the area specified in the licence and who is mentioned in column 2 of the licence.

*NOTE—A licence in this form may be granted for any period not exceeding three years.

SCHEDULE VIII—*contd.*FORM XIX—*concl'd.**Conditions—concl'd.*

5. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

6. The licensee shall not keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

7. Condition 6 may be cancelled by the authority granting the licence if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

8. The licensee shall not purchase rifle, revolver or pistol ammunition in excess of the maximum which may from time to time be fixed by the local Government.

9. This licence shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

(i) is sold,

(ii) is attached in execution of a decree.

The authority granting the licence has the right to inquire at any time during the currency of the licence whether any weapon for which it has been granted is still in the possession of the licensee, and to require production of the weapon for the purposes of such inquiry.

NOTE.—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

SCHEDULE VIII—*contd.*

FORM XX.

(SEE RULE 37.)

FEES—

(i) when granted under rule 37 (1) (a) and (b), FOUR ANNAS FOR EACH WEAPON,

(ii) when granted under rule 37 (1) (c), FREE OF ALL FEE.

EXEMPTION.—A fee of TEN RUPEES is charged for a licence in this form in respect of a pistol or a revolver in all Provinces other than the North-West Frontier Province.

Licence for going armed on a journey in or through any Province.

Name, description and residence of licensee and agent (if any).	Arms or ammunition that licensee is entitled to carry.		Retainers (if any) covered by the licence.				Arms or ammunition that retainer is entitled to carry.	Description.	Quantity.	Place of departure, route and place of destination.	Period which the journey is likely to occupy.	Period for which the licence is valid.
	Brief description of each weapon with details, e.g., registered No. and other distinguishing marks.	Quantity and description of each kind of ammunition.	Name of retainer.	Name of retainer's father.	Address of retainer.							
1	2	3	4	5	6	7	8	9	10	11		
												From the— _____ to the— _____ — 19.

(Signature)

Commissioner of Police

District Magistrate of the _____ district

Subdivisional Magistrate, _____ district.

Political Officer for the _____ State.

Seal.

The _____ of _____ 19 .

SCHEDULE VIII—*conold.*FORM XX.—*conold.**Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878 and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 4.

3. The licensee or any retainer acting under this licence shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

4. He shall not go armed with Government arms or ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to the Government.

5. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

NOTE.—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

APPENDIX TO SCHEDULE IV.

Tahsil.	Tract.	Village.
Manshra.	Kagan.	Sangar. Ghanual. Hangrai. Bela Kawai. Bhunja. Jared. Manur. Phagal. Kamalbun. Bhutandes. Kagan.
	Bhogarmang.	Bhogarmang. Ilahimang. Chitta Batta. Bakki. Bathi. Kumber Doga. Judrasi. Giran Thali. Bazu Bela. Jhaila. Kanog. Bavi Bahak. Jahauri. Serian Kumashian. Kihar Sacha. Sacha Kalan. Sacha Khurd. Kalas Richari.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Mangochra— <i>contd.</i>	Bhogarmang— <i>contd.</i>	Banda. Banda Chinsuch. Pinjal. Jaohha. Jabbar.
	Kounah.	Iobharian. Tarkual. Koth Tarli. Kund Tarla. Karmang Tarla. Jaigalli. Karmang Utta. Gerian Amsera. Hiv. Saluna. Bai Tarli. Chunarkot. Haroi Khakhu. Batnal. Chalundri Saldhar. Shakura. Khan. Malkan Galli. Hilkot Sithaulsadda. Rund Utta. Shahal. Dheri. Bhalei. Malukra.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Mansheru— <i>contd.</i>	Kounsh— <i>contd.</i>	Khandla. Lachimang. Nasordi. Dheri Sadulla. Sharkuli. Bahinang. Bansacha. Chhapri. Bagru. Dehri Halmi. Nilban. Bhaleja.
	Balakot.	Bhattika. Jahn. Laso Sultani. Koara. Lasso. Betseri. Sohal Mazulla. Bisian. Sohal Najaf Khan. Tarannas. Hassa. Baginohri. Nankot. Balakot. Guhora.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Manshira— <i>contd.</i>	Ghari Habibulla.	Doga. Sial. Bhurj. Karnaul. Barorkot. Lunda. Ghari Habibulla. Batoro. Kashtra. Hisari, Jabbi. Gul Maira. Sukhdare. Balola. Talat. Kat Phalla.
	Shinkiri.	Dharial. Tanda. Shinkiri. Bedadi. Shansi. Dhudial. Pir-da-Banda. Bajua. Inyatabad. Baffu. Guli Bagh. Hafiz Bandi Tarli. Hamshirian.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Manshira— <i>contd.</i>	Shinkiani— <i>contd.</i>	Lang. Maira Jia. Gandibian. Chittl Qatti. Teimi. Jabba. Machhipol. Mungon. Hathi Maira.
	Agror.	Shamdhare. Mihikra. Ughi. Basar. Maloga. Haji Kamar. Dhara. Arbora. Bandi. Ghadaur. Kathai. Nur Bandi. Chajjar Utta. Phagan-da-Banda. Kot. Rashida. Manshira. Tarawara. Sufaida.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Mansurn— <i>contd.</i>	Agro— <i>contd.</i>	Khabbal Tarla.
		Khabbal Utta.
		Shahkot.
		Bailian.
		Kulakka.
		Kotla.
		Jaspat.
		Ghanian.
		Dalhauri.
		Bagiran.
		Kundra.
		Chulundian.
		Tatoli.
		Tarwai.
		Didwar.
		Kewal.
		Manawal.
		Dewal.
		Shabtut.
		Gul Dheri.
		Pir-da-Patta.
		Talwari.
		Chokhat.
		Shabto.
		Sambalbot.
		Chaijri.
		Barohar.
		Bholi.
		Atir.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Manselra— <i>contd.</i>	<i>Agrot—contd.</i>	Kango. Chor Kalam. Kangalli.
	Bhair Kund.	Kangri Sabar Shah. Malakufar. Muradpur. Banda Shakhan. Sherpur. Khanjgan. Khakki. Nankot. Tirba Tarta. Tirba Utta. Bharkund Utta. Eharkund Tarta. Timarkhola. Sikandar. Sussal. Shanai. Kebmian. Giddurpur. Mari Shahwali. Mari Safdar Shah. Mari Mukarab Shah Muswal. Nilawr. Harida Maira.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
<i>Mansehra—contd.</i>	<i>Mansehra.</i>	Data.
		Hariola.
		Kushala.
		Chakla.
		Sufala.
		Haddo Bandi.
		Ghasi Kot.
		Pakhwal.
		Mansehra.
		Pano-di-Dheri.
		Banarkot.
		Katkai.
		Chitta Batta.
		Sundasur.
		Rihar.
		Shuttur.
		Arab Khan.
		Phagla.
		Utar Sisha.
		Mundhar.
		Chsthr.
		Maira Jamdali.
		Gharj Shah Khel.
		Banda Saidan.
		Jabri.
		Nartir.
		Pair.
		Khairabad.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Manselra— <i>contd.</i>	Gharan.	Bunsad.
		Shahakki.
		Bhurj.
		Madan.
		Lallo Bandi.
		Chasija.
		Bai Bandi.
		Baidra.
		Shekhabad.
		Daibgiran.
		Jalla.
		Ganda.
		Shahelia.
		Balhag Tari.
		Balhag Utti.
		Orga.
		Patha.
		Matial.
		Mobian.
		Rathion.
		Behar.
		Hosainian.
		Kharala.
		Barhali.
		Karer.
		Janj Kiari.
		Barat.
		Khoari.

APPENDIX TO SCHEDULE IV—~~contd.~~

Tahsil.	Tract.	Village.
Mansehra— <i>concd.</i>	Gharian— <i>concd.</i>	Bishga. Morbaffa (Abbatta). Morbaffa (Bara). Nuran. Lason. Gheal. Kik. Nanoha. Manghur. Thali. Sha Dai.
Abbottabad.	Gharian.	Sial. Giramuri. Bhal. Bandi Mutrach. Buzurgal. Perial. Thathi. Chhetri. Raohbham. Sohalan Terli. Sohalan Utti. Banda Juggian. Pandi Thanna. Talhar. Sargal. Shugri.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Abbottabad— <i>cont.</i>	Gharian— <i>cont'd.</i>	Kakot. Patheri. Lalleh-de-Bandi. Mochi Kot. Kishna. Paiba. Kumber Bandi.
	Shingri.	Baian. Bandi Fir Dad. Mirpur Pashwal. Sarai Niamat Khan. Sarai Dharmpani. Talhad. Chamad. Shingri. Bisala. Bairaingalli. Kokal. Kandal. Gajjal.
	Kachi.	Jabbi. Nakkeli. Khuhala. Bichha. Gul Banda.

APPENDIX TO SCHEDULE IV—*contd.*

Taluk.	Tract.	Village.
Abbottabad— <i>contd.</i>	Kachi— <i>contd.</i>	Kuthnali. Karm. Bihakki. Banda Loharan. Bhat. Banda Bakhtawar. Banda Naian. Nilor. Gurakki. Darwaza. Chinjaliala. Kachi. Chitti. Bir Hil. Soba. Nalaki. Ghanhari. Langar Amga. Kakotri. Jasl. Bhojwar.
	Rahorhan.	Jandakka. Bhurj. Darbar. Koski Bari. Koski Chotti. Thakna.

APPENDIX TO SCHEDULE IV—*contd.*

Taluk.	Tract.	Village.
Abdullah— <i>contd.</i>	Baborhan— <i>contd.</i>	Paswal.
		Sobra.
		Mihal.
		Banseri.
		Jatel.
		Butiala.
		Bain Mira.
		Baghhati.
		Bain Gogri.
		Chanrak Maira.
		Tatteh Handi.
		Shadial.
		Saliat.
		Mukhabbhi.
		Gup.
		Joganmar.
		Khani Thattiana.
		Todu.
		Thali.
		Ghali.
		Nala.
		Sar Bhangala.
		Bagh.
	Sherwan.	Khuda Khub.
		Hal.
		Barkot.
		Bhalera.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Abbottabad— <i>contd.</i>	Sherwan— <i>contd.</i>	Kular Khetar.
		Kamhar.
		Gadda.
		Kuthiala.
		Bamuchhi.
		Chira.
		Shoreb.
		Bhatil.
		Sherwan Bara.
		Sherwan Chotta.
		Bicha Bara.
		Bicha Chotta.
		Dhundora.
		Ratta.
		Bandi Nikra.
		Kangrura.
		Pind.
		Gandeh.
		Lakbala.
		Chatha.
		Phuhar.
		Seri Sher Shah.
		Barila.
		Chairh.
		Kangar Taria.
		Kangar Utta.
		Ohorgiran.
		Juhara.
		Khalabat.

APPENDIX TO SCHEDULE IV—*contd.*

Tahsil.	Tract.	Village.
Abbottabad— <i>contd.</i>	Sherwan— <i>contd.</i>	Chamatti. Beri. Kharpahr. Kannul. Thathi. Chikarbani.
		Srikot. Rundi. Amar Khana.
	Kulai.	Kirphan. Dera. Lajo Galli. Onora. Kharkot. Tavi.
Haripur.	Badnak.	Muradpur. Saidpur. Pind Khan Khel. Langar. Kundariala. Soabi. Kalingar. Mari. Gandaf. Ladrakki.

APPENDIX TO SCHEDULE IV—*contd*

Tahsil.	Tract.	Village.
<i>Haripur—contd.</i>	<i>Badmak—contd.</i>	Kharan.
		Ghanikot.
		Dabn.
		Bandi Lobial.
		Mahara.
		Chaintu.
		Haljudhal.
		Janjakka.
		Leldu.
		Jhokan.
		Polsala.
		Jasgiran Bola.
		Jagiran Pain.
		Bandi Kargraol.
		Kandiala.
		Sanda Ganda.
		Soddohan.
		Gharkala.
		Dhanaka.
		Kund Chamiaran.
		Dukkut.
		Barahan.
		Halkulu.
		Thani.
		Chandor.
		Chaubara Baghdavis.
		Gharlekkan.

APPENDIX TO SCHEDULE IV—*concl'd.*

Tahsil.	Tract.	Village.
Haripur— <i>concl'd.</i>	Badmak— <i>concl'd.</i>	Badhawra. Boh. Ladarmaog. Bodgiran. Khairi.
	Torbela.	Burj Khanpur. Torbela. Mohat. Dal.

CHAPTER III.

ORDERS AND NOTIFICATIONS, ETC., BY THE GOVERNMENT OF INDIA.

Home Department letter No. 27—918-975, dated the 12th July 1881.

1. Facilities should be afforded to exempted persons, when proceeding with arms beyond the limits of their own province, for obtaining certificates of exemption from the authorities of the district to which they belong. It should be clearly understood that exempted persons cannot be obliged to provide themselves with such certificates, and that the object of issuing them is to afford to their holders a ready means of proving their identity if their right to carry arms should be challenged by the authorities of another province in which they may be unknown. It would still be open to persons claiming to have been exempted to prove the fact of exemption, or to establish their identity, by any other means which they might choose to adopt; but certificates of exemption, if applied for by exempted persons, should invariably be given either by the District Magistrate or by some other officer whom the Local Government sees fit to empower on this behalf.

Certificates of identity of exempted persons travelling with arms beyond the limits of their own province.

Government of India Resolution No. 13 Public—1458-83, dated the 27th September 1893.

2. The following warnings have been issued by the Government of India to all sportsmen whether Europeans or others—

Prohibition against shooting in standing crops.

- (1) Not to trespass on standing crops without the consent of the owners;
- (2) Not to shoot pea fowl or other birds and animals, regarded as sacred, in the vicinity of villages or habitations;
- (3) Not to shoot domestic animals, such as dogs and pigs;
- (4) Not to shoot in the immediate vicinity of villages, temples and mosques.

*Circulated with Home Department letter No. 2189, dated
the 20th August 1900.*

3. Whenever guns or other arms in respect of which licenses have to be taken by purchasers under the Indian Arms Act, XI of 1878, are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act.

**Sale of arms by
public auction in
execution of decrees.**

[Fide Calcutta High Court Notification dated the 21st December 1900.]

*Government of India letter No. 4638, dated the 6th
August 1901.*

4. When arms and ammunition are simultaneously imported a license under the Arms Act is necessary for the import of arms and another, under the Explosives Act, for the import of ammunition, irrespective of the question whether a license under the Arms Act has been obtained or not.

**Import of arms and
ammunition simul-
taneously.**

*Government of India letter No. 2106R.T., dated the 3rd
December 1908.*

5. All arms and ammunition and articles of this nature found among unclaimed property in the possession of a railway company should be sent to the nearest Magistrate for sale on the understanding that the sale-proceeds will be made over to the Railway Administration.

**Unclaimed arms and
ammunitions.**

*Government of India (Commerce and Industry) letter
No. 8075-55, dated the 29th September 1913, and
No. 2741-6, dated the 16th April 1914.*

6. The Government of India have prohibited, with effect from the 15th January 1914, the transmission of arms and ammunition in foreign postal articles forwarded by other postal Administrations in open transit through the Indian post office, and in exercise of the powers conferred by section 25 of the

**Transmission of
transit articles of the
foreign mail to their
destinations.**

Indian Post Office Act, 1898 (VI of 1898), the Government of India have empowered the Director General of Posts and Telegraphs to search or to cause search to be made for these goods in the transit postal articles referred to above. This search should be confined to articles which are, under the regulations of the Postal Union, open to examination by postal officials at any stage of their transit through the post, *i.e.*, to packets of samples and to packets of printed papers and business papers.

Postal parcels which are declared to contain arms and ammunition and are received for transmission to foreign territories should be returned to the country of origin. Transit articles of the foreign packet mail, *i.e.*, sample packets and packets of printed papers and business papers which may on examination be found to contain arms and ammunition, should be returned by the post office to the country of origin.

Transit articles of foreign mail, the contents of which although falling under the head of "arms and ammunition" as defined in the Indian Arms Act, 1878 (XI of 1878), are in themselves quite harmless, may, at the discretion of the Postmasters General, be transmitted to their destinations, instead of being returned to the countries of origin.

Home Department Notification No. 350Judl., dated the 8th March 1910.

* * * *

7. In pursuance of section 5, clause (b) of the Whipping Act, 1909 (IV of 1909), the Governor General in Council is pleased to specify offences under the laws mentioned in the Schedule hereto annexed being offences punishable under the said laws with imprisonment, as offences for the abetment or commission of or attempt to commit which Juvenile offenders may be punished with whipping in accordance with the provisions of the said section.

Whipping of Juvenile offenders.

The Schedule.

* * * *

11. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23.

Home Department letter No. 829, dated the 21st February 1920.

8. Clause (10) of Schedule I to the Indian Arms Rules, 1924, covers the case of persons holding swords or other arms presented by Commissioners or other Government Officers under the general or special orders of the Local Government.

Exemption of persons holding arms presented by Commissioners and others.

Home Department letter No. F.21-X-23Police, dated the 22nd May 1928.

9. Any firearm which is in any way rifled is treated as a rifle, and all rules and regulations on the subject of the sale, etc., of rifles apply to it, i.e., the weapon in question cannot be sold to persons holding licenses to possess shot guns only. The dealers who have licenses to deal in shot guns only cannot stock and offer such rifles for sale.

Treatment of (rifled) ball any shot guns as rifles.

Home Department letter No. F.21-XXX-23Police, dated the 15th March 1924.

10. The Governor General in Council has decided that the following arms shall comprise the equipment of an officer of the Army or Royal Air force for the purposes of section 1(b) of the Indian Arms Act, 1878 (XI of 1878):—

Arms which form part of the equipment of officers of the Army or Royal Air force.

Officers holding Commissions from His Majesty the King.

1 Sword.

2 Revolver;

or

2 Pistols

or

1 Revolver

and

1 Pistol.

Of no special pattern but one of the weapons must take Government ammunition of .455 bore.

Officers holding Commissions from His Excellency the Viceroy.

1 Sword.

1 Revolver (Webley .455 bore).

1 Kukri (Gurkha and Garhwali Regiments only).

1 Dirk ...

1 Skene Dhu

Highland Regiments only.

N.B.—These officers are entitled to be in possession, as part of their equipment for the purposes of Section 1(b) of the Arms Act, of two swords when so required by the "Dress Regulations for the Army"—One full dress pattern and the other field service pattern.

(Home Department letter No. F.21-XXX-23Police, dated the 15th October 1924.)

Home Department letter No. F.21-XIX-24 Police, dated the 16th May 1924.

11. The proviso to paragraph II(ii) under the head fee in Form XVI does not absolve the holder of a license in the form who fails to renew the same prior to its expiration from the provisions of section 19(f) of the Act, if after expiration of the license he remains in possession of the arms in respect of which the license was granted. The effect of paragraph II(ii) is to fix the fee payable in respect of renewal of a license and the fact that the licensing authority cannot charge the enhanced fee unless the application for renewal is made more than one month after the date of expiration, in no way affects his competence to order the prosecution of a licensee who while retaining possession of the arms covered by the license does not apply for renewal of a license till after, though less than one month after, its expiration. The license read with the relevant provisions of the Act only authorises the licensee to possess and go armed with, the arms covered thereby, up to a certain date. If he should apply for renewal after, but less than a month after, that date, then, again without prejudice to the right to prosecution for unlicensed possession he would be charged ordinary renewal fee amounting to half the original fee.

Home Department letter No. F 21-XXX-23 Police, dated the 20th October 1924.

12. The Governor General in Council has decided that the following arms shall comprise the equipment of an officer of the Royal Navy and of the Royal Indian Marine for the purposes of section 1(b) of the Indian Arms Act.

Arms which comprise the equipment of an officer of the Royal Navy and of the Royal Indian Marine.

1 Sword.

1 Rifle ...

1 Pistol ...

303 S. M. L. E. Mark III^{*} or III,
of no special pattern.

13. The Government of India adhere to the policy * * *
* prohibiting the sale of all arms which bear
the normal Government mark. *Ex-officers*
desiring to sell such arms should apply to the
Government of India in the Army Department
giving the particulars noted below :—

Sale of arms bearing
the Government
mark.

- (i) Source from which weapon was obtained together with date of purchase, and
- (ii) Name, profession and address of intending purchaser and, if a pensioner, full particulars of rank, service, etc.

Home Department Resolution No. F.829-1-1922, dated the 3rd November 1923 (paragraph 6.)

* * * * *

14. The Government of India have decided that entries 11, 11A and 11B (of Schedule I of 1920 Rules) will be deleted from the Schedule (I of 1924) * * *

Every person now enjoying the privilege of exemption under these entries in the rules of 1920 or under entry 12 thereof, since the same considerations apply in their case also, will, on application, receive free of all fees, a license in Form XVI, specially made valid for the life time of the license in respect of any arms now in his possession and hitherto exempt from license provided he applies within six months of the coming into force of the rules of 1924. The privilege will not of course extend to title holders who received titles after the 1st of January, 1920, who unless otherwise exempt will, as before, be required to take out a license under the rules.

Home Department letter No. D.564 Police, dated the 8th May 1924.

* * * * *

15. Holders of the Distinguished Service Commission who had been awarded the decoration before the 1st January 1920, should be granted licenses for life—free of fee—in respect of the arms in their possession on the 1st January 1924, provided that application is made by them within 6 months from the date of this letter.

Life license to holders
of the Distinguished
Service Commission.

Home Department letter No. F. 21—LXVI—25—Police, dated the 15th June, 1924.

16. Officers of the Indian (Imperial Police Service) ~~may keep~~ as part of their equipment one revolver or one pistol in addition to the revolver or automatic pistol prescribed in the uniform Regulations published in the Home Department Notification No. F. 717—22, dated the 22nd May, 1924.

Home Department letter No. F.21—LVIII—26—Police, dated the 7th September 1926.

* * * * *

17. The re-importation of rifles of .303 and .450 bores and of pistols or revolvers of .441, .455 and intermediate bores, are permitted subject to the following conditions, viz. —

- (1) that the examination of the arms at the Customs House at the time of export shall be compulsory ;
- (2) that, as a general rule, export passes giving a full description of the weapons to be exported shall be obtained from the Collector of Customs by the persons exporting the weapons ;
- (3) that these passes shall be accepted by the Collector of Customs as the best proof of export on the weapons being satisfactorily identified at the time of re-importation ; and
- (4) that, in cases in which such export passes have not been obtained, it will rest with the Collector of Customs personally to accept such other proof of export as he may consider reasonable and proper.

CHAPTER IV.

ORDERS, NOTIFICATIONS, RESOLUTIONS AND RULES ISSUED BY THE LOCAL GOVERNMENT.

SECTION I.

The 1st June 1914.

I. No. 2443J.—In supersession of Assam Administration Notification No. 7J., dated the 21th September 1879, as modified up to date, it is hereby notified for general information that the provisions of the Indian Arms Act, 1878 (IX of 1878), are in force throughout the province of Assam except in the Lushai Hills.* The attention of all officers of Government, and of all manufacturers, dealers, and owners of arms and ammunition, is hereby drawn to the provisions of the Act, to the Notification and Rules made by the Governor General in Council as published in the *Eastern Bengal and Assam Gazette* of the 8th September 1909, Part II, and to the following supplementary rules and instructions issued by the Chief Commissioner:—

Rule 1.—The registers prescribed by the Local Administration in accordance with section 17(c) of Act XI of 1878 and the second condition of licenses in Forms XI, XII, XIII and XIV [new Forms Nos. IX, X, XI, and XII] are:—

(a) Monthly return of the stock and sales of arms and ammunition.

(b) Sale book of arms.

(c) Sale book of ammunition.

These registers shall be in the printed forms.

In addition, all licensed vendors must keep a detailed stock account of arms and ammunition.

Rule 2.— * * * *

Rule 3.—The limit for the possession of sulphur without a license is 10 (ten) seers in all districts of Assam other than those on the external land frontier of British India (*see* Schedule II of the Indian Arms Rules, 1924). For quantities in excess of this limit held for *bona fide* commercial purposes, licenses will be granted freely in Form XV (new Form XIV of 1924).

* The operation of the Arms Act has also been barred in the Naga Hills by Notification No. 6341G.J., dated the 13th October 1925.

Rule 4.—The limit for the possession of leaden bullets and bird shot without a license in all districts in Assam other than those on the external land frontier of British India is 5 (five) seers.

Possession of leaden bullets and bird shot without license.

Rule 5.—(a) Licensed vendors shall on the first day of each month submit to the Superintendent of Police a copy of all entries made during the preceding month in their sale books.

Return.

(b) If the monthly return is submitted regularly the shop will ordinarily not be inspected more than once a quarter; if the returns are not submitted regularly inspections will be more frequent.

In no case will previous intimation be given of the intention to inspect.

Inspections will ordinarily be made by Police officers, but District and Subdivisional Magistrates should themselves frequently inspect the premises of licensed manufacturers and dealers in arms and ammunition.

Rule 6.—All Magistrates and Police officers not below the rank of Sub-Inspector are empowered, within the limits of their local jurisdiction, to enter and inspect the premises of licensed*dealers in arms and ammunition, and examine their stock accounts and stock book.

Inspection of licensed premises.

Rule 7.—All arms, ammunition, or military stores, deposited at a police station in accordance with the provisions of section 16 of the Act, shall be at once sent to the Magistrate of the district in which the police station is situated. The Magistrate shall then store the arms, etc., in a place of safety.

Storage of deposited arms, etc.

Rule 8.—Police officers not below the rank of Inspector, and Mauzadars in the Assam Valley districts, are hereby empowered to conduct searches for arms under section 25, Act XI of 1878.

Searches for arms.

Rule 9.—All arms, ammunition, military store, vessels, carts, baggage, animals, boxes, packages or bales, or other articles forfeited or confiscated in accordance with the provisions of the Act, shall ordinarily be disposed of by the District Magistrate at his discretion unless otherwise specially directed by the Governor in Council.

Disposal of confiscated arms, etc.

District Magistrates have discretion to sell such arms, military stores and ammunition to licensed dealers or other persons entitled to possess them.

Rule 10.—Superintendents of Police shall grant rewards on the following scale for information leading to the discovery of arms or ammunition in the possession of a person not entitled to possess them. These orders will operate automatically and the grant of these rewards will not be optional but obligatory, unless for any special reasons the Superintendent of Police moves the Inspector General of Police through the Deputy Commissioner to have their action suspended by the Local Administration :—

Rewards for information leading to the discovery of unlicensed possession of fire-arms, etc.

	Rs.
(1) Rifles, revolvers and any class of modern pistols	200
(2) Breech-loading smooth-bore guns	100
(3) Muzzle-loading smooth-bore guns	80
(4) Ammunition or explosives proportionate to the amount discovered, but not less than ...	10

Articles confiscated by a court should be disposed of by the District Magistrate, and the rewards should be paid as soon as possible after the period within which an appeal can be preferred expires, or the order of the court of first instance is confirmed whichever may first happen.

NOTE.—The above rule refers only to the grant of rewards to private persons for information given by them leading to the discovery of arms and ammunition and not rewards to Police officers for discovering arms in the course of their duty.

Rule 11.—By section 28 of the Act every person employed upon any railway or by any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed. Such persons, although legally bound to furnish the information required, are eligible for the rewards mentioned in the preceding rule.

Supply of information to the Police by a Railway servant or a public carrier as regards illegal transit of fire-arms.

Rule 12.—All Magistrates, and all Police officers not below the rank of Inspector, are hereby empowered to detain arms or ammunition under section 6 of Act XI of 1878.

Power of detention of fire-arms.

SECTION II.—ISSUE OF LICENSES.

2. Subdivisional Officers have been granted power to issue licenses in Forms XIV, XVIII, XIX and XX in order that they should be enabled to renew licenses in these forms, but they should not exercise the power of granting new licenses in these forms without the previous approval of the District Magistrates (*vide* Notification No. 419G.J., dated the 30th January 1924).

Cf. paragraph 6 of Judicial Department letter No. C.P.-34-148586G.J., dated the 21st March 1924.

3. The following classes of persons shall ordinarily be allowed a license for one smooth-bore on application and without further enquiry:—

- (i) Members of any order established by the Crown, persons holding a title conferred or recognised by the Government of India, or the Kaiser-i-Hind Medal, or a certificate of honour;
- (ii) Members past or present of the Indian Central or Provincial Legislative Council, or persons included in the list of Provincial Durbaris;
- (iii) Persons paying not less than Rs. 500 per annum as land revenue or Rs. 50 as local rate;
- (iv) All persons, official or non-official, who have paid income-tax in the year of application;
- (v) Government servants in receipt of a salary of not less than Rs. 100 per mensem;
- (vi) Commissioned and gazetted officers and non-commissioned officers of His Majesty's Military, Naval or Air Forces or of His Majesty's Indian Marine Service or Commissioned Indian officers of the Imperial Service Troops in active service;
- (vii) Pensioners, official or non-official, who, before retirement, were included in either of the last three categories;
- (viii) Members of the Auxiliary Force and the Indian Territorial Force;
- (ix) Bishops, ordained priests, and ministers of the Christian religion; the leading Adhikar Goswains; and the Sajjada-Nachins of the principal Dargahs;
- (x) Honorary Magistrates;

- (xii) Members of Local and Municipal Boards, and members of Union Panchayats under Bengal Act V of 1876;
- (xiii) Manzadars;
- (xiv) Gaonburas, Dalais, and other recognised village headmen;
- (xv) Sarpanches and members of Village Authorities;
- (xvi) Legal Practitioners;
- (xvii) Doctors on the medical register;
- (xviii) All persons hitherto exempted from taking out licenses who do not fall in any of the above classes.

4. The Governor in Council after full consideration has decided that it should be left to the discretion of District Magistrates what agency they should employ for the purpose of satisfying themselves that applicants for gun licenses are fit persons to possess arms. Whenever previous enquiries are necessary, however, they should be carried out promptly and in a manner which is neither inquisitorial nor calculated to wound the self-esteem of the applicant. The special form of enquiry slip which was prescribed in the Eastern Bengal and Assam Government letter No. 3948-47G., dated the 29th July 1909, has been cancelled. In order that it may readily be ascertained whether an application for a license has been previously enquired into and also to keep a check over such applications a Register of applications for licenses has been prescribed by the Local Government. The Register is to be maintained in the office of all Deputy Commissioners and Subdivisional Officers in the form prescribed at page 230 of this Manual.

5. The district maxima which were laid down by the Assam Administration in 1916 for the issue of licenses were revised with the revision of the Arms Rules in 1920, which made them operative, and are now cancelled.

The Governor in Council desires that licenses for the protection of crops should be issued freely where the need is known to exist.

6. There is no limit in the plains districts on the possession of ammunition for shot guns or for '22 bore and target rifles.

Limit on the possession of ammunition.

Particular of the amounts allowed should be endorsed by the licensing authorities in the appropriate column of the license against each weapon. The maximum amount of ammunition which may be purchased or possessed during the year by the holders of licenses in forms XV, XVI, XVIII and XIX other than persons belonging to the hill tribes is as follows :—

Smooth bore muzzle-loading or breech-loading gun	No limit.
Rifles of '22 bore or Miniature target rifles ...	No limit.
Rifles of other bores ...	200 rounds.
Revolvers and Pi-tols ...	100 rounds.

The above maxima are fixed with the object of preventing licensees from purchasing large quantities of ammunition in excess of their legitimate requirements, but any person who can prove that he needs more than those standards may be given a license for a larger quantity of ammunition (letter No. C. P.—53-384-87G.J., dated the 28th January 1924).

7. A single license form only is now necessary for all the weapons licensed, and not a separate license form for all weapons.

The licensing authority may however issue a separate license for any weapon when the issue of a single license would cause inconvenience.

Letter No. C.
P. 1123-6163
-87G.J.,
dated the 6th
October
1925.

8. Under proviso (1) to sub-rule (1) of rule 33 of the Indian Arms Rules, 1924, no license shall be granted for the possession of rifles of '303 and '450 bore or of pistols or revolvers of '441, '455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers unless such rifles, pistols or revolvers have been lawfully imported into British India. The licensing officer should be careful not to issue a license for the possession of a weapon of prohibited bore before the weapon had actually been imported.

Instructions regarding the grant of licenses for the possession of arms of prohibited bores.

A weapon of prohibited bore can only be imported under an import license issued by the Governor General in Council and before issuing a license for the possession of a weapon of this nature all officers empowered to issue licenses must satisfy themselves that the weapon has been legally imported into British India.

The prohibition against the import of weapon of prohibited bore applies to weapons required for personal use.

9. The Governor in Council is pleased to retain the prohibitions and directions contained in section 15 of the Indian Arms Act, 1878 (XI of 1878), in respect of air pistols of the kind specified in head (iii) of entry 2 of the table in schedule II of the Indian Arms Rules, 1921, in all districts in the province of Assam and no person in this province shall have in his possession an air pistol of the kinds, except under a license and in the manner and to the extent permitted by the aforesaid entry.—(Notification No. 5348G.J., dated the 20th August 1925.)

10. Licenses for watchmen may be granted in Form XVI and for cash guards in Form XX. The former should be granted by the Magistrate of the district in which it is required, the latter, in the case of cash brought from Calcutta, by the Commissioner of Police, Calcutta; in other cases by the Magistrate of the district from which the journey begins.

N.B.—Journey license can only be given to persons already licensed to possess arms.

11. Guns having maker's name and number clearly marked need not be stamped with the district number, as it will be enough to enter in the register the maker's name and number.

All other guns should be stamped with the district initial and number on the underside of the barrel.

The marks should be examined at the time of renewal of the license.

Eastern Bengal and Assam letter No. 5440G, dated the 18th December 1908.
 Eastern Bengal and Assam letter No. 5587 Pl., dated 24th November 1911.

Marking of Arms.

District initial letters are as follows :—

Eastern
Border and
Assam letter
No. 88-87
J., dated
the 8th Oc-
tober 1908.

Name of district.					District initial letter.
Cachar	..	...	...	..	C.
Darrang	...	...	...	...	Dr.
Garo Hills	...	...	...	...	G. H.
Goalpara	...	...	...	...	Go.
Kamrup	..	...	...	...	K.
Lakhimpur	...	...	...	...	L.
Nowgong	...	...	...	...	No.
Sibsagar	...	...	...	...	S.
Sylhet	...	...	...	...	Sy.
Naga Hills	...	...	...	...	N. H.
Sadiya Frontier Tract	...	...	...	...	S. F. T.
Balipara Frontier Tract	...	...	...	...	B. F. T.
Lushai Hills	..	...	...	...	L. H.
Khasi and Jaintia Hills	...	...	...	...	K. H.

12. A license in Form No. XX merely authorises the holder to travel armed from one place to another and does not convey any authority to shoot at any place traversed by him in the course of his journey. This should be specifically explained to applicants for these licenses at the time of issue. Any person who wishes to use or possess his firearms outside the district or province for which it is licensed in Form XVI must get his license made valid by the licensing authority under rule 38 of the Indian Arms Rules, 1924, for the district or province, as the case may be, which he visits in course of his journey.

13. Every arm repairer who holds parts of arms in stock in trade should take out a license in form X or XII of the Indian Arms Rules, 1924. No license is required in case of the ordinary blacksmith or repairer who does not hold spare parts of arms.

Letter No. C. P. 941-5981-82, dated the 3rd September 1926.

14. All-India licenses should be as unrestricted as possible and accordingly under Rule 33(2) of the Indian Arms Rules, 1924, Assam is no longer excluded from the scope of All-India licenses.

Orders have issued under Rules 33(3) directing that licenses granted outside Assam shall not be valid in Assam until countersigned by a licensing authority of the province, and that no license shall be valid in any area that may from time to time be declared a Backward Tract under sub-section 2 of section 52A of the Government of India Act until countersigned by the District Officer or Political Officer concerned. When, therefore, licensing authorities in this province issue licenses with provincial or All-India validity, the Backward Tracts in Assam should be expressly excepted and they should enter in the appropriate column of the license the words " Assam except the Backward Tracts " or " All-India except the Backward Tracts in Assam," as the case may be.

15. *Notification No. 1220G.J., dated the 10th March 1924.*— In exercise of the power conferred by sub-rule (3) of Rule 33 of the Indian Arms Rules, 1924, the Governor in Council is pleased to direct that a license granted by a licensing authority outside the province of Assam shall not be valid in Assam until countersigned by a District Magistrate in Assam and that no license whether granted within or without Assam shall be valid in any territory that may from time to time be declared under

sub-section 2 of section 52A of the Government of India Act a backward tract until countersigned by the District Magistrate of such tract.

NOTE.—The following tracts in Assam have been declared to be “backward tracts” :—

1. The Garo Hills District.
2. The British portion of the Khasi and Jaintia Hills District other than the Shillong Municipality and Cantonment.
3. The Mikir Hills (in Nowgong and Sibsagar District).
4. The North Cachar Hills (in the Cachar District).
5. The Naga Hills District.
6. The Lushai Hills District.
7. The Sadiya Frontier Tract.
8. The Balipara Frontier Tract.
9. The Lakhimpur Frontier Tract.

SECTION III.—RENEWAL OF LICENSES.

16. Licenses in Forms XV, XVI, XVIII and XIX, are granted for a period of from one to three years.

Procedure to be followed in renewing licenses.

When this period is nearing expiry, if the arms covered by a license are still in the holder's possession, he should apply for renewal of his license. Such an application should be addressed either to the authority who granted the license or the nearest District or Subdivisional Magistrate according to which officer's headquarters are nearest to the applicant's place of residence for the time being. Production of arms is not necessarily demanded before a license is renewed, but it should be understood that it rests with the licensing authority to demand this if he deems it necessary. The original license should, of course, accompany all applications for renewal. In many cases personal application will be found most speedy and convenient and are therefore encouraged where persons reside at headquarters stations or in cities and towns or in country districts when the Deputy Commissioner or Subdivisional Officer arranges to renew licenses on tours, but there is no objection to the submission of these applications through the post. Fees for renewal are usually half the original fees. In this connection it should be noted, however, that licensing authorities have discretion to levy fees at the original rates in respect of renewals where the application for renewal is not received within a month following the date of expiry of the license and where there is no sufficient excuse for the delay.

17. The following instructions are issued for the interchange of information between the authorities grant-

Letter No.
C.P.355—
2475-76G.J.
dated the
29th May
1924.

Interchange of in-
formation between the
granting and renew-
ing authorities of
licenses.

ing and renewing licenses with a view to

accurate maintenance of Arms Registers:—

- (1) The authority who originally granted a license will communicate all changes of residence which are reported to him to all subsequent renewing authorities, of whose existence they must necessarily be aware if the requirements of proviso (c) to Rule 42 (3) of the rules have been observed.
- (2) An authority renewing a license in Form XVI which was not originally granted by him but which is valid within his jurisdiction will communicate information of renewal and of the period for which the license is valid to the authority who originally granted the license and also, if it has subsequently been renewed by one or more intermediate authorities, to the authority who last renewed it. If the license holder has permanently taken residence within his jurisdiction he will also transfer the weapon to his own register and inform the granting and intermediate renewing authorities that he has done so. The last previous renewing authority will thereupon strike the weapon off his register with a note "Transferred to———" whilst the authority which originally granted the license will similarly note the title of the last renewing authority. Where the change of residence is temporary the only action required is that stated in the first sentence of this paragraph.
- (3) The above instructions do not apply to the case where application is made for the renewal of a license not valid within the jurisdiction of the authority to whom application is made. In such a case the correct procedure is to issue a new license.
- (4) A similar procedure to that described in paragraph 2 above may be adopted in cases in which a license in form XVIII or XIX which is valid throughout a district was granted by the Deputy Commissioner and is renewed by a Subdivisional Officer or *vice versa*.

SECTION IV.—VENDORS.

E. B. & A. 18. It will be the duty of the District Officer to satisfy himself
letter No. that the receptacle or building provided for
8908-07G. the Storage of arms and
dated the ammunition.
14th June all reasonable probability of theft and he
1910. should, at the same time, insist by executive order that proper
 precautions are taken for the safe custody of any fire-arms kept
 for sale. In the event of any person failing to comply with the
 District Officer's demands, he should be warned that the penalty
 for this neglect will be the refusal of a renewal of the license,
 and this penalty should be rigorously enforced. In extreme
 cases where immediate action is called for to preserve the public
 peace it is open to the Magistrate to cancel the license under
 section 18(a) of Act XI of 1878.

E. B. & A. 19. Licenses for the vend of fire-arms and ammunition should
letter No. ordinarily only be issued for shops situated at
8953G. Locality of shops
dated the district and subdivisional headquarters.
18th Sep-
tember 1910,
to Commis-
sioner, Sur-
ma Valley
and Hill
Division.

Circular No.
19013-41M.,
dated the
28th Septem-
ber 1910,
issued by
Inspector
General of
Police.

20. All vendors in this province are required to maintain a
 stock register in Form No. 206 and sale
 registers in Forms Nos. 204 and 205 of Assam
 Schedule LIX, Part I. A copy of all entries
 made in the sale registers will be sent to the
 Superintendent of Police, in whose district the vendor resides, on
 the first day of each month. On receipt of these copies, the
 Superintendent of Police will compare the entries with the list
 of persons licensed to possess firearms and of persons exempted
 from the provision of the Arms Act, in order to ascertain whether
 the purchaser is authorised to possess a weapon of the kind pur-
 chased, or of the calibre corresponding to the ammunition pur-
 chased. He should also in the case of all purchases of rifles,
 revolvers and pistols and of ammunition for this class of weapon
 ask the purchaser to report whether he has purchased a weapon
 or any ammunition and to specify the character and number of

Inspection of arms,
ammunition shops by
police.

the weapon, the character and quantity of ammunition purchased and the name of the supplying firm. In calling for this information care must be taken not to disclose to the reported purchaser the nature of the entries made in the vendor's register. The enquiry may either be made by letter or by sending a police officer to the spot.

21. On the receipt of a copy of an entry relating to the sale of arms or ammunition to a person who resides in another district, the Superintendent of Police will forward to the Superintendent of Police of the district where the purchaser resides a sale verification slip [Assam Schedule XL(A)—Part I—Form No. 208], containing all necessary particulars in regard to the entry in question and the latter officer will have the necessary enquiries made and report the result.

Circular No. 19018-41M., dated the 28th September 1910, issued by the Inspector General of Police.

22. The copy of the sale register contains a column for remarks. In this column will be noted any action taken and the result of any enquiry made in regard to any entry and a reference will be made to any correspondence which has taken place in regard to it. The monthly copies of the sale registers should be kept together in a file so that Inspecting Officers may judge readily whether the Superintendent of Police has dealt with them properly.

23. Arrangements have been made under which all verification sale slips should be forwarded direct by the authorities of other provinces to the Superintendent of Police or Deputy Commissioner in charge of Police of the District in which the purchaser resides. A sale Verification Register [(Assam Schedule XL(A), Part I, Form No. 207)] should be maintained in the offices of all Superintendents of Police and Deputy Commissioners in charge of Police to show the results of the verification of sale slips sent from other provinces, as these slips are retained to the province of issue. The register should include all sales made to persons resident in the district, both from another district within the province and from places outside the province. Care should be taken that it does not include the details of sales made by licensed vendors in the district itself to persons resident within that district. This register should be carefully inspected and checked by the Superintendents of Police monthly and they should also watch sales and make enquiries into important items from time to time.

Sale Verification Register to be maintained for sales effected from outside the province and from other districts within the province.

Monthly inspection by Superintendents of Police of the Sale Verification Register.

Assam Government Circular No. C. P. 847-41 G.J., dated the 20th January 1927 and letter No. 868-79G., dated the 18th January 1927 to other Governments.

24. In addition to the verification of sales, the stock of arms and ammunition in the possession of vendors ^{Stocks to be checked.} must be periodically inspected and checked and the registers prescribed under the rules examined, to see that they are correctly kept up and totalled and that the stock tallies with the balance as shown in the books and that in no case the sale to one person exceeds the maximum which he may legally possess.

The inspecting officer should also from time to time compare the monthly return of sales submitted to the Superintendent of Police by the vendors, with the original entries in the sale register.

Eastern Bengal and Assam No. 832-36G., dated the 7th February 1910.

25. Sub-Inspectors may inspect the shops of licensed vendors of arms and ammunition. This work is, however, one of an important character and should not be delegated to Sub-Inspectors except in those cases in which it cannot be performed by Inspectors without detriment to other more important duties. It should, also, only be entrusted to Sub-Inspectors of approved capacity, and District Officers should issue instructions as to—

- (a) the shops which in their opinion should, in future, be inspected by Sub-Inspectors;
- (b) the officers to be entrusted with this duty. The matter should receive the attention of the Commissioner at his inspections.

26. Notification No. 662G, dated the 29th January 1910.—

^{Sub-Inspectors of Police authorised to inspect the premises of licensed dealers.} In exercise of the powers conferred by rule 24, clause (4) of the Rules issued by the Governor General in Council under the Indian Arms Act, 1878, and published under Notification No. 3102, dated the 16th August 1909, the Lieutenant-Governor is pleased to direct that all police officers of the rank of Sub-Inspector may, within the limits of their local authority enter and inspect the premises of licensed dealers in arms and ammunition and examine their stocks and accounts.

Inspector General of Police's letter No. 19013-41F., dated the 28th September 1910.

27. Except the shops selected, which will be inspected quarterly by the Sub-Inspectors and half-yearly by the Inspectors, the shops of all licensed vendors will be inspected quarterly by the Circle Inspector, and once in each year by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police.

The Inspecting Officer will note in the sale registers and stock registers whether he has found the stock correct or not and will report the results of his inspection to his immediate superior.

25. A return of all such inspections [Assam Schedule XL(A), Part I, Form No. 208] shall be submitted to the Inspector General of Police, quarterly, by the 7th day of the month following the close of the quarter, through the District Magistrate.

Returns of inspections.

SECTION V.—RETAINERS.

29. Inclusion of retainers under license in Forms XVI and XX—(1) The provision for including retainers is intended to meet the case only of persons whose standing or circumstances are such as to make it reasonable for them to employ retainers or servants who would be required in the ordinary course of their duties to carry weapons. The privilege should, as a rule, not be granted except in the case of gentlemen included in the Durbar lists of their respective districts and to private firms and rich merchants. If any retainer whose name is entered in a license, should, during the continuance of the license, die, or be dismissed from, or resign the service of the license-holder, no other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name and address are entered in the license under the signature of the officer who granted the license or the successor to such officer. When no retainers are licensed, the fact should be clearly indicated in column 5 of Form XVI or column 4 of Form XX, as the case may be.

30. Only the Rajas of Bini, Sidli, and Gauripur have been designated as *Great Zaminders* and the number of retainers which they have been allowed is laid down in note (1) to Rule 8 of the Indian Arms Rules, 1924 (Chapter II).

31. As a precaution against the possibility of fire-arms of exempted great zaminder's retainers passing into the hands of unauthorised persons, each retainer is to be furnished by his zaminder with a parwana authorising him to carry one smooth-bore breech-loading or muzzle-loading gun. It is not desirable that spare copies of the form should be allowed to accumulate with private persons. "Great Zaminders" should therefore be given only as many forms as they have retainers covered by their exemptions, and they should be requested to take particular

care not to leave blank forms where unauthorised persons can have access to them. For similar reasons indenting officers should keep their spare stock of the forms under lock and key in a responsible officer's charge.

32. Parwanas in the following form are issued for the use of retainers of Great Zaminders as well as of Retainers' Parwanas. persons in possession of life licenses with retainers. These parwanas will be filled in by the zaminders or the persons in possession of life licenses concerned.

FORM OF PARWANA.

তুমি—

পিতার নাম—

নিবাস—

ধান—

এতদ্বারা আমার অস্ত্রধারী তৃত্যরূপে নিযুক্ত হইলে, এবং আমাকর্তৃক, অথবা স্থানে স্থিত আমার কর্মচারী কর্তৃক প্রচারিত আইন সঙ্গত সমস্ত আদেশ অনুসারে তুমি সব্বরের একটি মাজল লোডিং বন্দুক, বারুদ এবং পার্ক সন ক্যাপ অধিকারে রাখিতে, সঙ্গে লইয়া গমনাগমন করিতে এবং ব্যবহার করিতে কর্তৃত্ব প্রাপ্ত হইলে। আদিষ্ট না হইলে, অথবা আইন গর্হিত কোন উদ্দেশ্য সিদ্ধির নিমিত্ত, তুমি এই বন্দুক অথবা গোলা গুলি প্রভৃতি কোন ক্রমেই ব্যবহার করিতে পারিবেনা, এবং যখন তুমি এই বন্দুক বাতীর কিছা আমার কাচারির বাহিরে লইয়া যাও, তখন তুমি এই পরওয়ানা অবশ্যই তোমার সঙ্গে লইয়া বাইবে।

এই বন্দুক অথবা কোন গোলা গুলি প্রভৃতি অপহৃত হইলে কিছা হানাহিঙ্গা গেলে, তুমি তৎক্ষণাৎ সর্বাপেক্ষা নিকটবর্তী পুলিশ ঠেঁশনে তৎসংঘর্ষে সংবাদ দিবে।

স্বাক্ষর

নাম, কোস ও উপাধি থাকিলে তাহা এবং ঠিকানা।

যে ক্ষতের প্রতি এই পরওয়ানা জারি করা হইয়াছে তাহার আত্মলের ছাপ।

SECTION VI.—HILL DISTRICTS AND INDIAN STATES.

(1) HILL DISTRICTS WHERE ARMS ACT IS NOT IN FORCE.

The Lushai Hills.

33. The Indian Arms Act is not in force in the Lushai Hills.

34. The following rules have been issued under section 6 of the Scheduled Districts Act (XIV of 1874) :—

- (1) The Superintendent may fix the number of firearms and the quantity and description of ammunition which may be possessed by any person or village, and issue licenses accordingly.
- (2) All firearms for which licenses have been issued shall be stamped and entered in a register.
- (3) The Superintendent may grant a license for the manufacture of gunpowder.
- (4) The possession of firearms or ammunition without a license, and the breach of any license granted under these rules, shall be punishable with imprisonment which may extend to two years or with fine, or with both.

35. The number of firearms authorised for each village is one to every fifteen houses with a maximum of 25 for any one village.

Limit of firearms.
This limit may at the discretion of the Superintendent be modified in cases where its strict enforcement would produce hardship.

36. Licenses for guns held by Lushais are issued in Form XIX and those for guns held by persons, other than Lushais, in Form XVI.

37. The following additional instructions should be inserted in each license :—

This gun may be used by all adult male members of the village. The gun cannot be used beyond the boundary of the chief in whose village the license-holder lives. If used beyond the village boundaries the gun will be confiscated. No birds to be shot between April and October. Rhinoceros, elephant and mithan are not to be shot.

Ammunition may be purchased only at the Military Police Canteens at Aijal and Lungleh.

Sale of ammunition.

38. Rules for sale and care of ammunition, gunpowder, etc.:—*Sale.*

- (i) No ammunition, gunpowder, caps or shot are to be issued without a written order from :—
 - A.—The Commandant.
 - B.—The Assistant Commandants.
 - C.—The Superintendent
 - D.—The Assistant Superintendents.
- (ii) The limit for one gun for one year from 1st January to 31st December is :—
 - One pound gunpowder.
 - Sixty caps.
- (iii) All issues are to be endorsed on the back of the license of the purchaser to ensure that these limits are adhered to; licenses must be produced with the order for ammunition or otherwise the issue will not be made.
- (iv) All issues are to be entered in the ledger provided at the time of issue.

Care of Ammunition.

- (i) Not more than 100 lbs. at one time will be kept in the Canteen; any surplus will be stored in the magazine under charge of the Quarter Master Havildar who will be personally responsible for it.
- (ii) All gunpowder and caps stored in the Canteen must be kept under lock and key at all times, the key being kept by the Canteen Havildar who will be responsible for the safe keeping of the ammunition and that the rules regarding issues are strictly adhered to.

The Naga Hills.

The 12th October 1925.

89. No. 6344G.J.—In exercise of the powers conferred by section 2 of the Assam Frontier Tracts Regulation (II of 1880), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the Governor in Council is pleased to direct that the Indian Arms Act (XI of 1878) shall cease to be in force in the district of the Naga Hills, with effect from the date of this notification.

The 12th October 1925.

40. No. 6845G.J.—In exercise of the powers conferred by section 6 of the Scheduled Districts Act, 1874 (Act XIV of 1874), the Governor in Council is pleased to prescribe the following rules for the regulation of arms and ammunition in the district of the Naga Hills and to direct that these rules shall form a part of the Rules for the Administration of Justice and Police in that district published with the Government of Eastern Bengal and Assam Notification No. 12520J., dated the 29th November 1906 :—

Rules.

(1) The Deputy Commissioner may fix the number and description of firearms and the quantity and description of ammunition which may be possessed by any person, village, or community and issue licenses accordingly. He may also fix the periods for which such licenses shall be valid.

(2) The Deputy Commissioner may, if he thinks fit, declare the licenses of persons residing temporarily in the Naga Hills who possess licenses under the Arms Act issued in other parts of British India to be valid in the Naga Hills for such periods as he shall decide and may fix the limits of ammunition to be held by such persons.

(3) All firearms for which licenses have been issued shall be stamped with the letters N. H. and with a number, and the make and the description of the weapon shall be entered into a register. This rule, however, does not apply to weapons held under licenses made valid under rule 2 provided that such weapons bear a maker's name and number in which case the maker's name and number, and the description of the weapon will be registered.

(4) The possession of arms or ammunition without a license and the breach of any of the conditions of a license granted or made valid under these rules shall be punishable with imprisonment which may extend to two years or with fine or with both.

(5) Licenses shall be granted in Form XVI of the Indian Arms Rules, 1921, subject to such alterations and modifications as the Deputy Commissioner may decide.

(6) There shall be no fee for the issue of licenses or for the renewal of licenses of muzzle-loading weapons.

The initial fee for the grant of a license for a breech-loading weapon shall be Rs. 10 in the case of a pistol or revolver, and Rs. 5 for any other weapon.

The annual renewal fee shall be Rs. 5 for a pistol or revolver and Rs. 2-8 for any other breech-loading weapon—provided that the Deputy Commissioner may permit the holder of a breech-loading weapon to renew his license for any period up to 3 years on payment of the combined renewal fees for the period.

(7) Every license granted under Rule 1 may contain a clause to the effect that the weapon covered by the license may be used by all the male members of the village, clan or kindred as the case may be.

(8) The Deputy Commissioner may grant licenses to approved persons for the sale of ammunition. The form of vendors' license shall correspond as far as possible to Form X of the Indian Arms Rules, 1924, and the fee for such license shall be Rs. 10 annually. Such persons shall sell ammunition in accordance with the instructions issued from time to time by the Deputy Commissioner, and any breach of such instructions shall be punishable with imprisonment which may extend to two years or with fine or with both.

(9) All persons holding licenses issued under Rule 1 shall purchase ammunition only at the shops and from the persons approved by the Deputy Commissioner under Rule 8, and on written authority from the Deputy Commissioner or, in the case of the Mokokchung Subdivision, from the Subdivisional Officer.

(10) The Deputy Commissioner may delegate to the Subdivisional Officer, Mokokchung, and withdraw from him any or all of the powers given by these rules.

(11) The Deputy Commissioner may from time to time issue instructions in conformity with these rules for the purpose of the control and supervision of arms and ammunition within the district.

(2) HILL DISTRICTS WHERE ARMS ACT IS IN FORCE.

41. *Notification No. 664 G.J., dated the 17th February 1923.*—

Sale of ammunition
to the hillmen.

In exercise of the discretion vested in the Local Government under condition 11 (now 12) of licenses in Forms VIII and IX in Schedule VII (now IX and X of Schedule VIII) of the Indian Arms Rules, 1920 (now 1924), issued by the Governor General in Council under Notification No. 1, dated the 1st January 1920,

the Governor in Council is pleased to apply the aforesaid condition to :—

- (a) any member of a hill tribe residing in the Naga Hills, the Lushai Hills, the North Cachar Hills, the Sadiya Frontier Tract, the Balipara Frontier Tract and the Lakhimpur Frontier Tract ;
- (b) Thibetans ;
- (c) Bhutias ;
- (d) Transfrontier Nagas.

It will now be illegal for a vendor to sell ammunition to a hillman of the tribes mentioned in the Notification No. 664G.J., dated the 17th February 1923, except on the production of a permit signed by the Deputy Commissioner or Subdivisional Officer of the District or Subdivision Political Officer or Assistant Political Officer of the Frontier Tract in or on the border of which the hillman resides. The maximum quantity of ammunition for which permits should be issued to one person in a year is $\frac{1}{2}$ lb. of gunpowder, 60 caps and 1 lb. shot, or 50 cartridges.

As regards the members of the hill tribes mentioned in Notification No. 664G.J., dated the 17th February 1923, the present scale of ammunition for which permits should be issued to them, which was fixed in paragraph 2 of letter No. C.P. 683-86G.J., dated the 20th February 1923, will remain in force until further orders.

42. Notification No. 1220G.J., dated the 10th March 1924.—In exercise of the power conferred by sub-rule (3) of Rule 83 of the Indian Arms Rules, 1924, the Governor in Council is pleased to direct that a license granted by a licensing authority outside the province of Assam shall not be valid in Assam until countersigned by a District Magistrate in Assam and that no license whether granted within or without Assam shall be valid in any territory that may from time to time be declared under sub-section 2 of section 52A of the Government of India Act a backward tract until countersigned by the District Magistrate of such tract. (Vide the schedule at page 156 ante.)

Letter 43 The Government have decided that no gun licenses should
 No. C.P.— in future be issued to hillmen in the North
 537—3369 Lakhimpur Subdivision unless with the
 G.J., dated Issue of license to approval, previously obtained, of the Political
 the 1st June hillmen in North Officer, Balipara Frontier Tract.
 1926. Lakhimpur.

North Cachar Hills.

Eastern 44. The chief village authorities may not try cases under the
 Bengal and Arms Act.
 Assam
 Notification
 No. 13519J.,
 dated the
 29th
 November
 1906.

On the occurrence of any offence under the Arms Act within their local limits the inhabitants of the village shall at once, if possible, apprehend the offender, and in any case shall at once inform the chief village authority, who, if the offender has not been apprehended, shall proceed without delay to the place where the crime occurred, and enquire into the matter. He shall further, as soon as possible, report any such offence to the Subdivisional Officer or other duly authorised officer whether the offender has been apprehended or not.

(3) INDIAN STATES.

(i) *Manipur.*

45. The Indian Arms Act is in force in the British Reserve in Manipur. It is not in force in the rest of the State.

The inhabitants were disarmed in 1891 and no arms are allowed except under license from the Political Agent. The hill tribes are allowed arms under license from the President, Manipur State Darbar.

The President has permission to import ammunition for these guns.

The President keeps 20 guns which are State property and are issued on loan when necessary to keep down the number of wild animals.

British subjects wherever they reside are expected to get licenses from Political Agent.

46. Licenses for firearms granted by the President of the Eastern Manipur State Darbar do not permit the carrying of arms into British territory. If hillmen from Manipur cross the border they must leave their fire-arms behind them.

Manipur gun licenses.

Bengal and Assam letter No. 4783P, dated the 8th September 1909, to Political Agent.

(ii) *Khasi States.*

47. Siems, their subjects and other residents in the semi-independent States of the Khasi Hills shall not purchase arms and ammunition without the permission of the Deputy Commissioner, or in the case of rifles, that of the Commissioner.

Arms in the Khasi Hills.

Letter No. 6688, dated the 15th June 1906, to Commissioner, Surma Valley and Hill Districts.

Ammunition can be legally obtained only on permits signed by the Deputy Commissioner and from licensed vendors in Shillong.

Ammunition in the Khasi Hills.

Letter No. 5711, dated the 1st June 1906, to Commissioner, Surma Valley and Hill Districts.

48. The Sardar of Jirang and the Siems of Bhowal and Malaisohmat exercise the power to issue licenses for old guns. It is desirable however that the Deputy Commissioner should be able to know what is being done in the matter of the issue of gun licenses and orders should be issued to all Siems, Sardars and Lyngdohs to open a register, which shall be open to inspection by the Deputy Commissioner, giving necessary details as prescribed by the Deputy Commissioner regarding the issue of licenses. All old unlicensed guns should be licensed and licenses for serviceable guns should only be renewed after careful examination. The Siems, Sardars and Lyngdohs should be distinctly given to understand that they are only authorised to issue licenses for possession within their own *elakas*. They are not authorised to license guns brought by their subjects from places outside their *elakas* or to license guns to be carried by their subjects to any place outside their States.

Power of Khasi Chiefs to issue gun licenses.

Eastern Bengal and Assam letter No. 101P, dated the 16th February 1912, to the Commissioner, Surma Valley and Hill Division.

Assam
letter No.
106 Mily.—

2071M., Transport of explo-
dated the sives to Lushai Hills
28rd May and Manipur.
1898, to the

Deputy
Commission-
er, Cachar.

49. The Deputy Commissioner of Cachar should intimate in due time to the Political Agent in Manipur, or the Superintendent of the Lushai Hills, as the case may be, the arrival in his district of consignments of explosives intended either for Manipur or the Lushai Hills, and not allow their transit beyond the limits of his district until the Political Agent, Manipur, or the Superintendent of the Lushai Hills, as the case may be, issues a permit to that effect. It rests with these officers to arrange a proper escort through their jurisdiction.

50. Independent and semi-independent tribesmen visiting British Territory are required to deposit all arms except *daos* at the first police out post they meet in their journey to the plains. It is recognised that in certain cases such deposit will not be practicable, Political Officer should however see that as far as practicable this rule is enforced and that such hillmen understand that they cannot carry arms in British Territory. All arms deposited should be returned when the owner leaves for the hills.

51. Licenses for the sale of ammunition should not be issued in the Nowgong and Sibagar districts in localities nearer to the Naga Hills than the existing arms and ammunition shops.

Ammunition shops
near the Naga Hills
border.

SECTION VII—MISCELLANEOUS.

Eastern
Bengal and
Assam letter
No. 6370-
74G., dated
the 17th
September
1910.

52. It is undesirable to keep a large surplus stock of license forms. District Officers should prepare their Stock of license forms. indent carefully and restrict them to a very small margin over known requirements. Care must be taken to see that license forms do not fall into improper hands and all license forms in stock in district offices should be kept under lock and key in charge of a responsible officer.

53. In all cases in which arms are stolen or lost the question of the desirability of withdrawing any license or exemption enjoyed by the possessor should be taken into consideration.

Cancellation of license following loss of weapon.

Eastern Bengal and Assam letter No. 2705-09G., dated the 29th April 1910.

District Magistrates should report for the orders of Government without hesitation any case in which an exempted person or person in possession of life license either makes or permits improper use of his weapons, or persists in ignoring ordinary precautions for their safe custody, or by his general behaviour proves himself unworthy of the privilege of exemption.

Eastern Bengal and Assam letter No. 84-88Pl., dated the 20th December 1911.

54. For registration of firearms by exempted persons note (2) to rule 3 of the Indian Arms Rules, 1924, may be seen. Should there be any difficulty or doubt as to the adequacy or accuracy of any description or should any exempted person be unable to fill in the form satisfactorily, an officer of suitable standing should be deputed by previous arrangement with the person concerned to fill in the return after inspection of the weapons.

Registration of firearms by exempted persons.

55. Arms, ammunition and military stores, as defined in section 4 of the Indian Arms Act, 1878 (XI of 1878), which are confiscated or forfeited under any provision of that Act or of any other enactment for the time being in force, may, if they can be utilized by the police or by any Department under the Government, be retained and brought into use with the sanction of the Government.

Disposal of confiscated arms.

Notifications No. 962J., dated the 28th February 1914 and No. 4921G.J., dated the 29th November 1922.

If any such arms, ammunition or stores are not so retained, they shall be destroyed locally in the presence of a gazetted officer of an Imperial Service, whom the District Magistrate may select for the purpose.

Provided that all firearms of a specially dangerous character, such as rifles, revolvers and automatic pistols, shall invariably be sent to the Ordnance Officer, Fort William, Calcutta, between 1st February and 15th March every year to be broken up or otherwise destroyed.

Bayonets, swords, daggers, spears, spearheads and bows and arrows shall, if possible, be sold to licensed dealers, or other persons entitled to possess such articles; and if they cannot be sold, shall then be destroyed locally.

In order that arms sent from Assam to the Ordnance Officer, Fort William, Calcutta, may be checked, District

Officers should send intimation of their despatch to the Commissioner of Police, Calcutta, together with a complete list giving the number and description of the weapons sent for destruction.

56. Notification No. 3644J., dated the 19th April 1920.—In exercise of the power conferred by section 16 of the Indian Arms Act, 1878 (XI of 1878), as amended by the Indian Arms (Amendment) Act, 1919 (XX of 1919), the Chief Commissioner is pleased to make the following rules for carrying into effect the provisions of the aforesaid section :—

Deposit of arms and
ammunition with
licensed dealer.

Rules.

1. Any person depositing arms, ammunition or military stores with a licensed dealer in compliance with the provisions of sub-section (1) of section 16 of the Indian Arms Act, 1878, shall immediately inform the Magistrate of the district in which he resides.

2. When a dealer disposes of arms, ammunition or military stores so deposited, he shall report the fact to the Magistrates of the district in which he resides. The report shall state the name and address of the depositor, the number, date and issuing authority of the license (if any) under which the arms, ammunition or military stores were held, and a description of the arms, ammunition or military stores sold.

3. A dealer failing to dispose of an article so deposited within one year from the 1st January of the year following that in which it was deposited shall deposit the same at the nearest police station, and shall at the same time furnish the information mentioned in rule 2 ; provided that in exceptional cases the period of one year may be extended by the Local Administration.

4. All articles deposited under sub-section (1) of section 16 of the Act, and not returned or disposed of under sub-section (2) of the same section within a year of their deposit or within such further period as may be allowed under rule 3, shall be forfeited to His Majesty.

Judicial
Department
letter No.
2933J., dated
the 5th April
1921.

57. All unclaimed arms and ammunition found by the officers of the Railway, including Railway Police, should be sent by them direct and not through the police to the Deputy Commissioners of Sylhet, Cachar, Goalpara, Kamrup, Nowgong, Sibsagar, or Lakhimpur for disposal. The property should be sent to whichever Deputy Commissioner is most easily accessible.

Disposal of unclaim-
ed arms and ammuni-
tion found in
railway trains and
railway premises.

58. District Magistrates must reply promptly to all references with regard to the legality of any proposed purchases of arms and ammunition. These references should not be treated as matters of mere routine. District Magistrates should be careful to satisfy themselves that the persons in question are actually entitled to purchase the arms or ammunition in contemplation under the terms of the orders prescribing the classes of persons exempted from the provisions of the Arms Act and the extent to which they are so exempted. The attention of vendors in this province should also be invited to the responsibilities imposed on them by law.

Responsibility of District Magistrates regarding purchase of arms, etc., by exempted persons.

Eastern Bengal and Assam letter No. 169G, dated the 16th April 1910.

Arms Act Report.

- 59. The Annual Report on the working of the Indian Arms Act (XI of 1878) should contain four statements in the following forms:—**
- A.—A statement in (Assam Schedule LIX, Part I, Form No. 51) showing the number of licenses (for firearms only) in each subdivision.**
- Supplement to A.—A Statement in (Assam Schedule LIX—Part I—Form No. 54) showing the number and description [of firearms held by exempted persons under Schedule I to the Indian Arms Rules, 1924.**
- B.—Statement showing the amount of arms and ammunition sold to the public by licensed dealers in each district in Assam and also the amount of arms and ammunition purchased by the public in each district from outside the province (Assam Schedule LIX, Part I, Form No. 52).**
- C.—A statement in (Assam Schedule LIX—Part I—Form No. 53) showing by subdivisions the results of prosecutions and confiscations under the various sections of the Arms Act during the year. In this statement figures for prosecutions under different sections should be shown in different lines for each subdivision. Totals under all sections should be given for each subdivision (in the figures for districts and divisions), prosecutions under different sections of the Act need not be shown separately.**
- Preparation of Arms Act Rep rt.*
- Eastern Bengal and Assam circulars No. 21F, dated the 26th April 1906, and No. 26F, dated the 26th April 1908.*
- Circular No. C.P.-949-1G. J., dated the 20th Jan. 1927.*

In all cases district totals should be struck. Figures for the two preceding years should be given for each division in statements A, B, and C.

60. In compiling statement B care should be taken to ensure that arms and ammunition imported by vendors are not shown twice, viz., once as purchases and once as sale. For the purpose

of this statement the amount sold by them to the public, within the district need be shown. The amount imported by them is only for the information of the Superintendent of Police and District Magistrate.

Government of India's letter No. F.21-XXV—25 dated the 18th June 1925, 28th July 1925. Circular No. C.P.-949-1G. J., dated the 20th Jan. 1927.

61. In addition to general observations on the working of the Act during the year and a discussion of the figures in these four statements, the report on the length of which no restriction is imposed should also contain information regarding the extent to which firearms were used in riot or murder cases.

The report should also contain information as regards the number of cases of loss of firearms and of crimes of violence in which firearms were used in the year under report. The District Officers should also report whether they have any reason to think that the quantity of arms and amount of ammunition held illicitly is such that it forms a menace to the peace of the district. They should also send a confidential report in cases where the amount of illicitly held arms and ammunition should be taken into consideration from the point of view of the military internal security arrangements.

62. The consolidated annual report for each division should reach the Secretariat on or before the 15th April, district reports should be submitted to Commissioners not later than the 15th March and subdivisinal reports should be submitted to

the District Officers on or before the 15th February.

Inspection of Arms Act Department by District Officers. Circular No. C.P.-949-1G. J., dated the 20th Jan. 1927.

63. The District Officer should inspect annually the arms offices of the district and when doing so will himself check the register of licensed and exempted arms with special reference to the number and description of licensed and exempted firearms in possession of "private" person.

Principal points for inspection of the Arms Act Department.

64. The principal points for general inspection are given below :—

1. Compare number of existing licenses with previous years, and indicate cause of divergence.

2. Compare proportion of licenses issued in the different forms with previous years.

3. Are guns produced and returned punctually ?

4. Are steps taken punctually, when guns are not produced for inspection on the date fixed ? What steps ?

5. Are licenses renewed promptly and returned promptly to the licensee ? Does the Magistrate renew licenses in the interior

while on tour after issue of notices to licensees to assemble at suitable centres ?

6. Does the Majmuli map recording the distribution of guns show that guns are equitably distributed in the localities which require them ?

7. Are new guns duly punched and numbered ?

8. Is the guard file of firearms in possession of exempted persons up to date ?

9. How many guns are there at present in the *Malkhana* ? Why are they there ?

10. Are confiscated arms and ammunition properly disposed of as laid down at pages 148 and 171 of Arms Act Manual ?

11. Are applications for gun licenses promptly and suitably disposed of ?

12. Are licenses ordinarily allowed without enquiry as laid down in paragraph 6 of Judicial Department letter No. C.P 34-1485-86G.J., dated the 21st March 1924 (page 151) ? What enquiry is made in other cases ?

13. How many cases have there been under the Arms Act ?

14. Note as to the propriety of the result and of the sentence.

15. Have rewards been paid in connection with these cases ? If not, should not rewards have been given ? If paid, were they paid promptly ?

16. Are the orders regarding a close season properly carried out ?

17. Are all arms and ammunition shops situated only at district and subdivisional headquarters ?

18. Have inspections been made regularly by the police ? Note dates of inspections during last year and names and designations of the officers.

19. Has the District Magistrate or Subdivisional Officer inspected the magazines or other receptacles for the storage of arms and ammunition ?

20. What steps are taken to prevent vendors from selling to licensees ammunition in excess of the prescribed quantities ?

21. What is the state of the magazines ?

Do they fulfil the conditions of the license and is the stock of ammunition within the prescribed limits?

Compare the sale of arms, ammunition and military stores for the last two years and account for any marked variation.

22. Are any explosives used exclusively for blasting kept in the district? If so, state under what conditions and in what quantities?

23. What licenses have been given for the manufacture, possession and sale of fireworks, and in what forms?

24. Have the premises of these vendors been inspected by the police? Note the dates of inspection during the past twelve months.

CHAPTER V—MISCELLANEOUS.

A.—A brief explanation of the Indian Arms Rules, 1924, affecting the possession of arms by private individuals, with special reference to Assam.

1. Complaints have been made that the Indian Arms Rules are not easy to understand. They contain many technical directions of no interest to the private person who desires to possess arms for private purposes; they have been modified from time to time and have been considerably revised this year (1923-24) and as they have to be read in conjunction with the Act and the schedules the layman sometimes finds it hard to ascertain the procedure he should follow in order to secure a license and to understand the conditions on which he may keep arms. This pamphlet has been prepared, therefore, with a view to explaining to the public the procedure laid down for obtaining and renewing arms licenses, purchasing ammunition, carrying weapons on journeys, importing or exporting weapons for private use and the like. It does not purport to be an exhaustive paraphrase of the Rules, but merely sets forth, in language free from legal technicalities, what the procedure is without touching on matters connected with the manufacture, import, export and sale as affecting dealers.

2. Every person who is not specially exempt from the operations of those sections of the Act which prohibit the keeping or carrying of arms without a license must take out licenses to cover any arms or ammunition which he possesses or wishes to purchase. A list of the persons and classes of persons so exempt will be found in the Schedule I of Indian Arms Rules, 1924. Persons exempt however are subject to the following conditions:—

- (i) the number and description of arms in respect of which exemption is enjoyed may be restricted under separate orders issued by each local Government. Where such orders are in force arms in excess of the prescribed numbers or descriptions must be covered by licenses;
- (ii) all firearms in a person's possession must be registered in such manner as the local Government may prescribe;
- (iii) the loss or theft of any arms or ammunition must be reported forthwith at the nearest police station; and
- (iv) arms or ammunition may not be imported through the post office, and in Burma may not be despatched through the post.

Orders regarding conditions (i) and (ii) are issued separately by each local Government in regard to its own territory. The rules regarding Assam are as follows :—

1. Every exempted person shall enter all arms in his possession in the form prescribed below and shall forward the same to the District Magistrate of the district in which he ordinarily resides. The form may be obtained on application from the office of the District Magistrate.

2. An exempted person shall forthwith report to the District Magistrate in the aforesaid form any subsequent increase in the number of arms in his possession. He shall similarly report any reduction in the number already registered due to sale, loss or theft of arms in his possession. He shall also report any change in class due to the conversion of any such arms.

3. An exempted person shall report any permanent change of his residence to the District Magistrate of the district where he originally registered the arms in his possession under rule 1.

4. An exempted person arriving from another province for permanent residence in this province shall register the firearms in his possession in the manner prescribed in rule 1 above.

5. Failure to comply with these rules shall render the exempted person liable to the cancellation of his exemption.

Return of arms in the possession of exempted persons.

Name and address of the exempted person	Number of each class of arms in possession, i. e., Rifles, Smooth-bore, Revolvers or pistols.	Description and bore with maker's name and number on barrel, or stock or both.	Whether muzzle or breech-loading.	Whether single or double barrel, and in case of revolvers, number of chambers.	Whether single shot or magazine. (a).	The name of the dealer or person from whom obtained, with approximate date. (b).	Remarks.
1	2	3	4	5	6	7	8
							Signature of the exempted person or his agent.

(a) If repeating, the capacity of the magazine should be stated in remarks column in the case of Rifles and Pistols.
In the case of revolvers and pistol all marks stating the part of the weapon on which they are stamped should be described in full.

In the old rules, 1920, the list of exemptions was much larger than it is now; and certain categories have been excluded from the new schedule. Such persons now excluded but exempt under the rules of 1920 will be granted a life certificate of exemption free of fee in respect of the weapons in respect of which they now enjoy exemption provided they apply within six months of the issue of the Rules of 1924. The persons who are eligible for this life certificate are mentioned in the appendix (page 185).

3. Licences are not ordinarily required in Assam to cover possession of arms other than firearms, *e.g.*, swords, swordsticks, daggers, spears, etc., but it may happen that in particular districts or parts of districts licences in respect of such arms may be required under special orders of Government. Orders of this description are issued in a time of emergency and rescinded when the emergency has passed. Persons having doubts are therefore advised to make enquiries from the District Magistrate as to whether a licence is necessary. Licences in one or other of the forms described below are required for *all* firearms.

4. Licences may be given entitling the holder to keep arms (other than pistols and revolvers) and ammunition in a certain place but not to go armed; or again,

licences may be given permitting the holders to possess arms and go armed for the purpose of sport, protection or display, or again,

licences may be given to possess arms and go armed for the destruction of wild animals which do injury to human beings, cattle or crops. (These are intended mainly to help cultivators and are granted free of fees) and, lastly,

licences may be given to go armed on a journey.

5. It may be asked whether everybody is entitled to a licence on payment of the prescribed fee. The answer is in the negative. Any person of course may apply for a licence, but the grant of licences is governed by the broad principle that arms and ammunition must not be allowed to fall into the hands of lawless people. It is clearly impossible for all applicants to be personally known to the licencing authority, who, in order to discharge properly the responsibility laid on him, must in many cases cause enquiries to be made, through any agency he deems best, into the *bona fides* of the applicant and his fitness to possess arms before he can grant a licence. The Government of Assam have, however, laid down certain qualifications the possession of any one of which connotes, in their opinion, sufficient evidence of

Arms for which licences are required and the various kinds of licences.

Kinds of licences.

Persons who may apply for licences.

respectability to warrant the grant of a licence without further enquiry unless the licencing authority has a sufficient and definite reason for refusal or for ordering enquiry.

These qualifications are :—

- (i) Members of any order established by the Crown, persons holding a title conferred or recognised by the Government of India or the Kaisar-i-Hind Medal, or a certificate of honour ;
- (ii) Members, past or present, of the Indian Central or Provincial Legislatures or persons included in the list of Provincial Durbaris ;
- (iii) Persons paying not less than Rs. 500 per annum as land revenue or Rs. 50 as local rate ;
- (iv) All persons, official or non-official, who have paid income-tax in the year of application ;
- (v) Government officers in receipt of a salary of not less than Rs. 100 per mensem ;
- (vi) Commissioned and gazetted officers and non-commissioned officers of His Majesty's Military, Naval or Air Forces or of His Majesty's Indian Marine Service or commissioned Indian officers of the Imperial Service Troops in Active Service ;
- (vii) Pensioners, official or non official, who, before retirement, were included in either of the last categories ;
- (viii) Members of the Auxiliary Force and the Indian Territorial Force ;
- (ix) Bishops, ordained priests, and ministers of the Christian religion ; the leading Adhikar Gosains ; and the Sajjada-Nashins of the principal Dargahs ;
- (x) Honorary Magistrates ;
- (xi) Members of Local Boards, Municipal Commissioners, and members of Union *Panchayats* under Bengal Act V of 1876 ;
- (xii) Mauzadars ;
- (xiii) Gaonburas, Dalais, and other recognised village headmen ;
- (xiv) Sarpanches and members of Village Authorities ;
- (xv) Legal Practitioners ;
- (xvi) Doctors on the medical register ;
- (xvii) All persons hitherto exempted from taking out licences who do not fall in any of the above classes.

6. The licence which is most generally required is that which will enable the holder to possess arms and go armed for purposes of sport, protection or display. This licence is granted in Form XVI and any one wishing to obtain it should apply either in person or by post to the nearest District or Subdivisional Magistrate unless the applicant ordinarily resides in an Indian State and may have occasion to visit British India, in which case he should apply to the Political Officer of his State. Licence most generally required and from whom obtainable.

7. Details of the fees chargeable for a licence in Form XVI Fees. will be found on reference to it.

Broadly they are :—

- (i) for a breech-loading revolver or pistol Rs. 10 ;
- (ii) for any other breech-loading weapon Rs. 5 ;
- (iii) for any other weapon annas 8.

These rates apply to a licence granted for the first time. On renewal, fees at half these rates, except in the case of the last-named, will be charged. Fees may be paid either in non-judicial stamps or in cash.

There are, however, certain classes of persons who, in virtue of their past or present civil or military service, have been exempted from the necessity of paying fees for licences in this form. Details of these will also be found in the Appendix Persons who are not required to pay fees and how fees should be paid. (*vide* page 185). Otherwise, where payable, fees may be paid either by means of a non-judicial stamp affixed to the application or in cash at the option of the applicant.

8. Licences in Form XVI are originally granted for one year from the date of issue and for the most part hitherto have been valid only in the district in which they were granted. Licensees should, however, realize that if they wish to avoid the inconvenience of annual renewal they may apply for a licence valid for a period not exceeding three years which will be granted on payment of a compounded fee. A licence in this form may also be made valid for the whole of British India and the practice of giving such all-India licences has been encouraged in order to minimise the inconvenience otherwise caused to persons who move frequently from one district to another. It should be observed that a condition attaching to a licence specially made valid for the whole of British India is that its validity is subject to such restrictions as may be imposed by a local Government in respect to its own territory. Area covered by licence and period of its validity.

In Assam a licence granted by a licensing authority outside the province is not valid in the plains districts unless countersigned by a District Magistrate in Assam, and no licence, whether granted within or without Assam, is valid in the Hill districts or Frontier Tracts until countersigned by the District Magistrate of such district or tract. Holders of all-India licences coming to Assam are advised to consult beforehand the nearest licensing authority.

Restrictions
on quantity
of ammuni-
tion that
may be
possessed.

9. The amount of ammunition for revolvers, pistols and rifles other than .22 bore, which the licensee is entitled to possess at any one time or within the period of validity of the licence will be entered on the licence. This amount is determined by Local Governments and all purchases of ammunition for these weapons must be entered on the licence form by the vendor, but there is no necessity for the latter to enter purchases of any other kind of ammunition on the possession of which there are no restrictions, nor has he any need to enter on any form of licence purchases of any kind of ammunition, other than that for rifles of .303 or .450 bore and revolvers or pistols of .450 bore (to effect the purchase of which ammunition possession licences have to be taken out even by persons otherwise exempted) made by persons who are exempted from the necessity of taking out licences.

The Government of Assam have fixed the following standard for the purchase or possession of ammunition by persons holding licenses in Forms Nos. XV, XVI, XVIII, and XIX and by persons other than those belonging to Hill Tribes:—

Rifles (other than .22 bore or target)—200 rounds.

Revolvers and pistols—100 rounds.

Shot guns and .22 and target rifles—No limit

Journey
licenses.

10. Where a licence is valid only for the district in which it was granted and the holder wishes to carry his weapons on a journey or in cases in which the licensee wishes to go on a journey accompanied by his retainers who are accustomed to bear arms when accompanying him, a licence is required, for which a fee of 4 annas is charged for all weapons except revolvers or pistols, for which a fee of Rs. 10 is exacted. These licences are obtainable from a Commissioner of Police, a District Magistrate or a Subdivisional Magistrate specially empowered to grant them, and, as the law requires an officer who receives an application for a journey licence to obtain the previous approval to its grant of the proper authority of the place of residence of the applicant in cases where the latter does not reside within the

jurisdiction of the officer to whom application is made or is not personally known to him, unless for any special reason this precaution is considered unnecessary, persons are advised to allow for the delay that such enquiries must cause by submitting their applications some time before the actual date of the journey. It should also be noted that a journey licence does not entitle the holder to use the arms covered by it for purposes of sport in the course of his journey. A licensee holding a district or a provincial licence wishing to proceed to any place outside the district or province for sport should have his licence made valid for that place and for the journey thereto or, and he is advised to do this, get his licence made valid for the whole of British India.

11. The conditions attaching to the grant of any licence are printed on the form itself. These should be carefully noted and observed, as the infringement of any one of them constitutes an offence under the Indian Arms Act and renders the holder of the licence liable to prosecution. Prominent amongst these conditions are those which require the giving of information forthwith at the nearest police station of the loss or theft of any arms and ammunition and the embargo on the taking of arms to a fair, religious procession or other public assemblage unless specially authorised to do so.

Conditions
attaching to
licences.

12. As has already been stated, licences to cover possession and going armed are granted for a period of from one to three years. When this period is nearing expiry, if the arms covered by a licence are still in the holder's possession, he should apply for renewal of his licence. Such an application should be addressed either to the authority who granted the licence or the nearest District or Subdivisional Magistrate according to which officer's headquarters are nearest to the applicant's place of residence for the time being. Production of arms is not necessarily demanded before a licence is renewed, but it should be understood that it rests with the licensing authority to demand this if he deems it necessary. The original licence should, of course, accompany all applications for renewal. In many cases personal applications will be found most speedy and convenient and are therefore encouraged where persons reside at headquarters stations or in cities or towns, or in country districts when the Deputy Commissioner or Subdivisional Officer arranges to renew licences on tours, but there is no objection to the submission of these applications through the post. It has already been stated that

Renewal of
licence.

ees for renewal are, with one exception, muzzle-loading fire-

arms and other arms, half the original fees. In this connection it should be noted, however, that licensing authorities have discretion to levy fees at the original rates in respect of renewals where the application for renewal is not received within a month following the date of expiry of the licence and where there is no sufficient excuse for the delay.

13. Private individuals frequently wish to import firearms into India as part of their personal luggage. If a licence covering possession in India has been obtained beforehand or if a person is one of an exempted class no difficulty arises as on production before the Customs authorities of the licence or proof, if required, of exemption, the arms can at once be cleared since in these cases no special licence to cover import is necessary. In the majority of cases, however, concerning non-exempted persons, the arms are not covered by a possession licence and in cases of this kind where a person's final destination in India is not the port of arrival, a licence covering temporary possession during the period of the journey from the port of disembarkation to the place of destination can be obtained on payment of a fee of Re. 1 per weapon from the Commissioner of Police or District Magistrate at the port of arrival. This will enable an individual to take his weapons with him on his journey upcountry but on arrival at his destination he must take out a regular licence in the ordinary way. The objection that there may be no time on arrival in which to obtain a temporary licence of the kind described from the Commissioner of Police or other authority can easily be met by the individual instructing his Agent in advance to obtain this licence on his behalf to cover the weapons he is bringing with him and a description of which should be furnished to the Agent. The great advantage of this procedure is that the importer will be able to proceed at once on his journey with his weapons in his possession instead of leaving them in deposit with the Customs authorities until a proper licence covering possession can be obtained in respect of them.

14. Rifles of '303 and '450 bores and revolvers or pistols of '441, '455 or any intermediate bore are not allowed to be imported into British India except under the special sanction of the Government of India which is only given for exceptional reasons. This prohibition applies to all weapons the bore of which is of the dimensions given irrespective of the dimensions of the chamber or "lead" and whether, as manufactured, Government ammunition can or cannot be used in them. Even persons who have been granted the privilege of exemption have had it restricted in this respect

Arrangements for travellers arriving in India by sea.

Rifles, revolvers and pistols of prohibited bores.

to weapons which have been lawfully imported into British India and no licensing authority is permitted to give a licence to cover possession of such weapons to non-exempted persons unless he is satisfied that they have been lawfully imported. This can only be the case if special permission has been obtained or the weapons were in India before the prohibition against import came into force, i.e., in the case of the rifles before January 1901 and of revolvers or pistols before the latest Arms Rules, those of 1924, came into force. To ensure, however, that persons who own such rifles lawfully for sporting purposes and revolvers or pistols obtained before their import was prohibited may obtain ammunition for the same in reasonable quantities provision has been made in the Rules to permit of selected dealers being allowed to import and sell such ammunition to qualified persons, i.e., those who hold licences covering possession of the same.

15. Private individuals are not required to obtain any special licence to cover the export of arms and ammunition which they may desire to take out of the country with them or send out of India provided these are of a reasonable quantity and their possession in India is covered either by a licence or by exemption.

Export
licences.

16. In the Appendix which follows will be found the list of exempted persons, of persons entitled to a life certificate, persons who are not required to pay fees for possession of licences and specimen copies of the licence forms described above.

APPENDIX.

List of persons eligible for life licences in respect of the arms in their possession on the 1st January 1924 provided application for such a license is made before the 30th June 1924.

(See paragraph 2.)

1. All individual members of the undermentioned classes who were as such exempted under the Indian Arms Rules, 1909, immediately before the coming into force of these rules:—

- (a) members of any Order of Knighthood ;
- (b) persons holding the Kaisar-i-Hind medal ;
- (c) persons holding titles conferred or recognised by the Governor-General in Council ;
- (d) persons holding swords or other arms received as gifts from the Governor-General in Council or a Local Government ;

- (e) persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty Queen Victoria;
- (f) retired officers (other than retired subordinate, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension; and
- (g) landholders and members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf by a Local Government.

2. All persons who, before the 1st day of January 1920, had been admitted as members of the Distinguished Service Order, the Imperial Service Order, the Indian Order of Merit or the Order of British India, or had been awarded the Victoria Cross, the Military Cross, the distinguished Flying Cross, the Distinguished Conduct Medal, the Distinguished Flying Medal, the Long Service and Good Conduct Medal—the Volunteer Decoration, the King's Police Medal, the Volunteer Long Service Medal or the Indian Distinguished Service Medal, the D. S. C.

3. Retired officers (other than retired subordinate, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7(1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension, who retired after the 31st December 1919 and before the 1st July 1921, and are resident in the Punjab.

4. Such of the second and third class Sardars of the Deccan, of the second class Sardars of Gujrat and of the Mehwasi Chieftains in the Bombay Presidency as were exempted under the Indian Arms Rules, 1909, and Meherbhan Fattesing Guman-singh, the Chieftain of Chikali.

B.—Some High Court and Privy Council Rulings.

No. 1.

The sale of arms by the Nasir of the court in execution of decree is a sale by a public servant in discharge of his duty and is therefore excluded by section 1, clause (b), from the operation of the Indian Arms Act, XI of 1873. It is expedient for the court ordering such sale to give notice of the sale and of the purchaser's name and address as contemplated by section 5 of that Act to the Magistrate of the district or to the police officer in charge of the nearest police station.—[*Wala Hiraji versus Hira Patel*, I. L. R. 9 Bom., 518.]

No. 2.

A revolver with a broken trigger is within the definition of "arms" in the Indian Arms Act, 1878, section 4. Whether in any particular case an instrument is a firearm or not, is a question of fact to be determined according to circumstances, and the circumstance that it is in unserviceable condition is not conclusive. The question is not so much whether the particular weapon is serviceable as a firearm, but whether it has lost its specific character and has ceased to be a firearm.—[*Queen-Empress versus Jayaram Reddi*, I. L. R. 21, Mad. 360 F. B.]

No. 3.

As a gun barrel and nipple in serviceable condition fall within the definition of "arms" in section 4 of the Indian Arms Act, 1878, the possession of such articles without a license is punishable under section 19 (f) of the said Act.—[*Queen versus Vyapuri Kangani*, I. L. R. 7, Mad. 70.]

No. 4.

A sword stick is a "sword" within the meaning of the term in section 4 of the Indian Arms Act. Neither the length, breadth or the form of the blade of a weapon nor the handle afford any certain test of its classification as "arm." Whatever can be used as an instrument of attack or defence, for cutting as well as for thrusting, and is not an ordinary implement for domestic purposes, falls within the purview of the Act.

Emperor *versus* Satish Chandra Roy.

I. L. R. 84, Cal., 749.

No. 5.

Definition of arms—
table knife. A "table knife" however carried or intended to be used is not an arm.

Crown *versus* Nga Kya Nyo.

Buling of the Chief Court of L. B.,—Criminal Revision
No. 556 of 1903.

No. 6.

Effect of extension
of time of renewal. An order extending the time of renewal of licenses has the effect of keeping a license previously granted practically in force, and a person cannot be convicted of an offence under section 19(f) of the Arms Act for a breach of its provision within the extended time.

In the matter of the petition.

Kali Nath Singh.

3, C. W. N. 394.

No. 7.

Carriage of arms by
retainers, etc. A servant of a person who possessed a license for two swords and a gun, which license also covered one retainer, was stopped by the police on the road while carrying a sword. On being asked to produce his license he was unable to do so, it not then being with him. No opportunity was afforded him of producing the license, but he was charged with an offence under section 19 of Act XI of 1878, and on these materials convicted and fined.

Held that the conviction was wrong. The law does not require, a licensee, always to have his license with him. If under such circumstances, on being required to produce it, he is prepared to do so on a reasonable opportunity being given him to get it, and if exists, he should not be prosecuted; if prosecuted, the production of the license at the trial is a sufficient answer to the charge of infringing the Arms Act. Held further that a license granted to a person to carry arms and including a retainer authorises a retainer to carry the arms specified with the permission of his master and does not restrict him merely to carry them while in the actual presence of his master.

Queen-Empress versus Kishunwa.

I. L. R. 20, Cal., 444.

No. 8.

A person, named Prabhat Chandra Chaudhuri, seized a gun which was in the hands of a servant of an exempted person and fired at a mad dog which had entered the compound of his house. He missed the animal, but wounded a man named Manda Rajbansi. For this Prabhat Chandra Chaudhuri was convicted under section 304A, Indian Penal Code, and sentenced to pay a fine of Rs. 300 and to detention in court for one day. The Sessions Judge on appeal reduced the fine to Rs. 100. The accused was again prosecuted under section 19(f) of Act XI of 1878. Held that the accused was not liable under the section referred to. The provisions of this section do not make the mere possession of a gun punishable; they make possession contrary to the provisions of section 14 of the Act punishable. The temporary possession which the accused had of the gun when he snatched it up and fired it, was not the possession contemplated by section 14 of the Arms Act.

Prabhat Chandra Chaudhuri versus Emperor.

I. L. R. 35, Cal., 219.

No. 9.

A person entitled to possess and use firearms gave a pistol to an acquaintance, who was not entitled to possess and use firearms, asking him to take it and get it repaired in a neighbouring town. The acquaintance gave the pistol to his father, Harpal Rai, who

was taking it to the town to get it repaired, when he was arrested and charged with an offence under section 19 of the Indian Arms Act, 1878. Held that Harpal Rai was under the circumstances guilty of no offence under the Arms Act. The mere temporary possession, without a license of arms, for purposes other than their use as such, is not an offence within the meaning of section 19 of the Arms Act. The above ruling applies also to a servant who is given his master's gun to take to a blacksmith for repairs.

Emperor versus Harpal Rai.

I. L. R. 24, All., 454.

No. 10.

The mere denial, on the part of a person, whose house is being searched by the police for unlicensed arms, that he has any such arms in his possession does not constitute a concealment or attempt to conceal arms on search being made by the police within the meaning of the second paragraph of section 20 of Act XI of 1878. Held also that where unlicensed arms are found concealed upon premises which though legally the joint property of a joint Hindu family are in fact at the time of the finding in the exclusive possession and control of one member of the family that member can properly be held to be in possession of such arms.

Concealment of arms,
section 20.

Emperor versus Ram Sarup.

I. L. R. 28, All., 302.

No. 11.

Where a person is found carrying arms apparently in contravention of the provisions of the Arms Act, it must be presumed, in the absence of proof to the contrary, that he is carrying such arms with the intention of using them should an opportunity of using them arise.

Presumption that
arms denied are in-
tended for use.

Queen-Empress versus Williams.

I. L. R. 15, All., 27.

No. 12.

The manager of a licensed vender of arms, ammunition and military stores sold certain military stores without previously ascertaining whether the buyer was legally authorised to possess the same. Held that the licensee was liable to punishment under

Liability of vendors
for act of servant.

section 22 of the Indian Arms Act, 1878, though the goods were not sold with his knowledge and consent. The principle "Whatever a servant does in the course of his employment with which he is entrusted and as a part of it, is his master's act" is applicable for the present case.

Queen-Empress versus Tyab Ali.

I. L. R. 24, Bom., 428.

No. 18.

When a Magistrate issues a search warrant under section 25 of the Indian Arms Act, 1878, it is necessary that he should record the grounds of his belief that the person against whom the warrant is issued has in his possession arms, ammunition or military stores for an unlawful purpose. Where proceedings under the Indian Arms Act, 1878, in respect of the unlawful possession of arms are taken against a member of a joint Hindu family not being the head of such joint family, and arms are found in a common room of the joint family house, it is incumbent upon the prosecution to give good evidence that such arms are in the exclusive possession and control of the particular member of the joint family who is sought to be charged with their possession.

Proof of possession
in case of a joint Hindu
family.

Queen-Empress versus Saugam Lal.

I. L. R. 15, All., 129.

No. 14.

The license of the accused for the possession of firearms and ammunition was cancelled in August 1897. He was suspected of being in possession of arms after the cancellation of his license. On the 23rd of April 1899, the Assistant Magistrate with a number of police went to the house of the accused to search for arms. They surrounded it, arrested the accused and there searched his house. The police had no search warrants, nor was there anything to show upon what charge the accused was arrested. Two gun stocks, some ammunition and implements for reloading were discovered in the house. There was nothing to show that the sanction required by section 29 of the Arms Act was given before proceedings were instituted against the accused. Accused was convicted and sentenced under sections 19 and 20 of the Arms Act. Held that the conviction under section 20 was not sustainable, but that the accused must be taken to have had arms and

Search and seizure
by Magistrate.

ammunition as defined by the Arms Act, within the meaning of section 19(f) of that Act, and the conviction under that section must be confirmed. Held, further, that with respect to the question of whether or not any previous sanction had been given under section 29 of the Arms Act, the court was not unmindful of the suggestion that the charge in this case was, in the first instance, in respect of an alleged offence under section 20 and not of one under section 19; but that sections 19 and 20 were so interwoven that it was difficult to see how an offence could be committed under the first paragraph of section 20 unless an offence under one of the enumerated sub-sections in section 19 had also been committed. It was not suggested that the charge here was an offence under the second paragraph of section 20.

Ahmad Hussain *versus* Queen-Empress.

I. L. R. 27, Cal., 692.

No. 15.

For some time previous to the 27th April 1907, there had been a considerable tension (of feeling) between the Hindus and Muhammadans in a certain locality. On the 27th April a Muhammadan was shot by a Hindu, and a serious conflict was narrowly averted by the Subdivisional Officer and the District Superintendent of Police. On the arrival of the District Magistrate on the morning of the 28th April, he received reports from the two officers of the occurrences of the 27th April and he was also informed that the police had reason to believe that firearms were stored in certain kutcheries belonging to Hindu zemindar. In consequence the District Magistrate, accompanied by the District Superintendent of Police, proceeded to search the kutcheries. Under the orders of the District Magistrate, the kutcheri of the respondent was forcibly entered, boxes forced open, and search made. On an action being instituted against the District Magistrate for trespass, it was found as a fact that he had acted with perfect *bona-fides*:—Held (Brett J. dissenting) that according to the principles of equity, justice and good conscience, the search constituted an actionable trespass unless warranted by some statute, and in the circumstances of the case the search was warranted by no statute. When Executive Officers are invested with statutory powers of a special and drastic nature, before exercising those powers they must strictly comply with the provisions of the Act which created them. The search being

Necessity of recording grounds of belief for causing search, section 25.

a general search for arms, was not warranted by section 25 of the Arms Act of 1878, which required that before making the search the Magistrate should first record the grounds of his belief in terms of the section which was not done. The words "having first recorded the grounds of his belief" in section 25 are mandatory. The search was not warranted by section 105 of the Criminal Procedure Code, as in the circumstances of the case the Magistrate was not acting as a "Court." The search was not warranted by section 165 of the Criminal Procedure Code: that section does not apply to a Magistrate.

Semble.—A general search for arms would be governed rather by the provisions of the Arms Act than by the provisions of the Code of Criminal Procedure. The search must be taken to have been conducted by the Magistrate in his executive and not in his judicial capacity, and hence he was not protected by Act XVIII of 1850.

Per Harrington and Brett J. J. The issue of a search-warrant by a competent Magistrate is a judicial act.

Clarke *versus* Brojendra Kishor Roy Chowdhury.

I. L. R. 36, Cal., 433.

Judgment of the Lords of the Judicial Committee of the Privy Council on the consolidated appeal of Loftus Otway Clarke *versus* (1) Brojendra Kishore Roy Chaudhury and (2) Srimati Bisweswari Debi Chaudhurani, from the High Court of Judicature at Fort William in Bengal; delivered the 18th June 1912.

Present at the hearing.

Lord Macnaghten.

Lord Atkinson.

Lord Shaw.

Sir John Edge.

Mr. Ameer Ali.

(Delivered by Lord Macnaghten.)

The pecuniary amount involved in this appeal is comparatively trifling. But the case is one of grave importance, and their Lordships are compelled to add that, in their opinion, there has been a serious miscarriage of justice in both the Courts which dealt with the matter in India,

In April 1907, Mr. Clarke, the appellant, was the District Magistrate of Mymensingh, an extensive district in the province of Bengal. The principal suit, the result of which governs this consolidated appeal, was brought by the first respondent, as plaintiff claiming damages for trespass on the allegation that Mr. Clarke had illegally and wantonly searched his kutocherry, and that Mr. Clarke had not only acted illegally, but that he had acted out of personal malice and ill-will. The suit originally brought in the court of the third Subordinate Judge of Mymensingh was transferred, at the plaintiff's instance, to the High Court in its Extraordinary Original Civil Jurisdiction. It was tried by Fletcher, J. He found in favour of the plaintiff and gave a decree for Rs. 500 but without costs. Costs were not awarded to the successful plaintiff on account of the charge of personal misconduct which his Lordship held to be unfounded and grossly improper. Mr. Clarke appealed to the High Court in its appellate jurisdiction. The plaintiff filed cross-objections reiterating his charge of personal misconduct. The Court of Appeal, consisting of the late Chief Justice and Harrington, J. (Brett, J., dissenting), dismissed the appeal but without costs.

The result is that a Magistrate placed in a very difficult position and called upon to act on a sudden emergency has been adjudged guilty of trespass and subjected to a fine though he seems to have acted properly, with courage and good sense, and strictly in accordance with the powers committed to him.

The facts of the case are not really in dispute.

Jamalpur is a subdivision of Mymensingh. The zemindars in that part of the country are Hindus, most of them, apparently, absentees living in Calcutta. Bulk of the population is Muhammadan. For some time before the occurrence which led to this suit, owing, it was said, to the measure known as the Partition of Bengal, there had been a good deal of disaffection and excitement in the district, and the relations between the Hindus and the Muhammadans were dangerously strained.

On the 21st of April 1907 there was a large fair or mela held at Jamalpur. Some Hindus, apparently at the instance of the servants and agents of the plaintiff and his co-sharers known collectively as the Gouruckpur* zemindars, tried to prevent the sale of *bidesi* or foreign goods. The Muhammadans resented this attempt. There were serious disturbances out of which there sprang up a bitter feeling between the Hindus and the Muhammadans. On the evening of the 27th of April some Hindus dressed or supposed to be dressed in Muhammadan clothes were observed

*Gauripur.

wandering about the town. They were followed by a band of Muhammadans. The Hindus turned on the men following them and fired three or four revolver shots and a Muhammadan was wounded. An uproar followed. Mr. Barnville, the Subdivisional Magistrate of Jamalpur, and Mr. Luffman, the District Superintendent of Police, who were then in the dak bungalow, hastened to the scene of disturbance. They met some Muhammadans carrying away the wounded man, and they received information that the persons who had committed this offence had fled in the direction of the cutcherries of the Gouruckpur* zemindars. These kutcherries appear to be close together in an open piece of ground. Hard by is a temple of Thakurain Doya Moyee, and excited crowd of Muhammadans was collected there apparently bent on attacking the kutcherries. The Subdivisional Magistrate and the District Superintendent of Police found 40 or 50 men armed with *lathis*. After they had disarmed them they were told that armed men were concealed in the temple. They went there. They found the doors locked and were refused admittance. The Subdivisional Magistrate ordered the persons inside to open the doors assuring them of protection. In response several shots were fired from inside, and a man was wounded slightly. The two officers then withdrew after dispersing the Muhammadan crowd outside.

The Subdivisional Magistrate wired at once to the Commissioner of the Division and the District Superintendent of Police sent a telegram to Mr. Clarke to the following effect :

“ Serious riot just averted. Come at once.”

Mr. Clarke received this telegram at 2 A.M. on the morning of the 28th of April. He started for Jamalpur by the first train, and arrived there at 10 A.M. On his arrival he found the following telegram from the Commissioner headed “ Urgent ”:—

“ Barnville has wired for available armed Police by special train, saying serious disturbance impending. What do you know? Can you send Gurkhas from Mymensingh to be replaced if required by men from here—Dacca ? ”

Mr. Clarke, who had spent most of his time after the mela disturbance between Jamalpur and Mymensingh, and knew the state of feeling in the district, took counsel with the Superintendent of Police and the Subdivisional Magistrate. From what he heard and from what he knew himself he came to the conclusion that it was his duty to search the kutcherries. And accordingly he did so, accompanied by the Subdivisional Magistrate, the Police officers, and a force of police. The plaintiff's cutcherry

was found locked. It seems that the Jemadar in charge of the building had locked it up, and left at 1 p.m. There was no one on the ground to open the doors. So the doors were forced open. Boxes in the cutcherry were also opened and their contents taken out. The actual search within the building was made by the police, but Mr. Clarke had charge and direction of the whole proceeding. He remained outside.

There was nothing of an incriminating nature found in the cutcherries.

The question and the only question on this appeal is whether Mr. Clarke was authorised by law to make the search. That depends on the provisions of the Code of Criminal Procedure and on nothing else.

It cannot be denied that a serious offence had been committed against the public tranquillity and that, under the Code of Criminal Procedure (which defines offences against the public tranquillity and is summarised in Chapter VIII of Schedule II of the Code), every member of the unlawful assembly from which the shots proceeded was equally guilty of the offence. Nor can it be disputed that it was the duty of the District Magistrate to enquire into that offence.

Now section 177 of the Code provides that every offence shall ordinarily be enquired into, and tried by a Court within the local limits of whose jurisdiction it was committed. Mr. Clarke, by virtue of his superior rank, superseded the Subdivisional Magistrate of Jamalpur, and properly assumed jurisdiction there.

An enquiry under the Code is a proceeding distinct from a trial. There is no definition of the word "enquiry" in the interpretation clause, section 4. But there is this explanation of the term as used in the Code :—

"(4) Enquiry includes every enquiry other than a trial conducted under this Code by a Magistrate or Court."

Section 36 is in the following terms :—

"All District Magistrates, Subdivisional Magistrates, and Magistrates of the first, second, and third classes have the powers hereinafter respectively conferred upon them and specified in the third schedule. Such powers are called their ordinary powers."

Schedule III, referring back to section 36, defines the "ordinary powers" of Provincial Magistrates beginning with Magistrates of the third class. Every Magistrate of a higher class

is invested with all the "ordinary powers" of a Magistrate of the class immediately below that to which he belongs, with further powers appertaining to Magistrates of his own grade.

Among the "ordinary powers" of a Magistrate of the third class specified in Schedule III is :—

"(8) Power to issue search warrants, section 96."

In section 96 the following provision occurs :—

"Where the Court considers that the purpose of any enquiry, trial, or other proceeding under the Code will be served by a general search or inspection, it may issue a search warrant." Then section 105 provides as follows :—

"Any Magistrate may direct a search to be made in his presence of any place for the search of which he is competent to issue a search warrant."

It seems clear from these sections and Schedule III that Mr. Clarke was authorised by the Code to direct a search of the plaintiffs' kutcherry in his presence if he considered it advisable to do so.

Now the learned trial Judge disposes of Mr. Clarke's defence in rather a summary manner. Beyond referring to section 105 he does not consider or refer to any one of the sections on which the defence is based, nor does he deal with Schedule III at all. All that the learned Judge says on this part of the case is this :—

"It is obvious in the present case the defendant was not competent to issue a search warrant under the provisions of the Criminal Procedure Code. The defendant was not acting as a Court within the meaning of section 94 of the Criminal Procedure Code, as there was no proceeding pending before him."

On appeal the late C. J. and Harrington, J., took the same view and dealt with the matter much in the same way. After citing section 105 the learned C. J. proceeds as follows :—

"The Magistrate can only act under this section where he is competent to issue a search warrant. That takes us to section 96. That section applies to the issue of a search warrant by the Court. Here the defendant was not acting as a Court, and all that section 105 enacts is that instead of the Court issuing a search warrant the Magistrate may direct a search to be made in his presence. It is reasonably obvious why this power is given to a Magistrate, but the section does not assist the present defendant."

The opinion of Harrington, J., is to the same effect. He says :—

“In my opinion section 96 only authorises the Magistrate to issue a search warrant when sitting as a Court, *i.e.*, when some proceeding under the Code has been initiated before him. And this view is strengthened by the form of the search warrant given in Schedule V, which recites that information has been laid or complaint has been made.”

If his Lordship had read to the end of the form in Schedule V, he would have seen that it disposes of his theory altogether. The form contemplates the issue of a search warrant before any proceedings of any kind are initiated and in view of an “enquiry about to be made.”

It would seem that the trial Judge and both the learned Judges who formed the majority of the Court of Appeal were misled by the use of the word “Court” in section 96. For the sake of brevity the Code uses the terms “Court” and “Magistrate” generally if not always as convertible terms. Section 6 headed “Classes of Criminal Courts” enacts that :—

“Besides the High Courts and Courts constituted under any law under this Code for the time being in force there shall be five classes of Criminal Courts in British India, namely :—

- I. Courts of Session.
- II. Presidency Magistrates.
- III. Magistrates of the first class.
- IV. Magistrates of the second class.
- V. Magistrates of the third class.”

Section 36 taken in conjunction with Schedule III places the matter beyond all doubt. The ordinary powers of all Provincial Magistrates are declared to be those “hereinafter conferred upon them and specified in the third schedule.” That means: conferred upon them by the Act and specified in the third schedule to the Act. As appears by the schedule, the power to issue search warrants is specified among the “ordinary powers” of the Provincial Magistrates, but the only section conferring the power is section 96 to which the schedule itself refers.

It seems to their Lordships therefore clear that what Mr. Clarke did was warranted by the Code. If that be so, there is an end of the case.

Two other points were discussed by the trial Judge and the learned Judges of Appeal at much greater length than the ground on which the real defence to the action was based. It seems that the defendant or his advisers not content with relying on the Code of Criminal Procedure unwisely perhaps prayed in aid section 25 of the Indian Arms Act, 1878, and also Act No. XVIII of 1850, entitled "an Act for the Protection of Judicial Officers." The one seems inapplicable; the other in the present case wholly unnecessary. Their Lordships are disposed to agree with the majority of the Court of Appeal that Mr. Clarke not having complied with the preliminary condition prescribed by the Arms Act cannot defend his action under that Statute. On the other hand, they have no doubt that Mr. Clarke in directing a general search of the plaintiff's kutcherry in view of an enquiry under the Code of Criminal Procedure was acting in the discharge of his judicial functions, and they think that if it had been necessary he might have appealed for protection to the Act No. XVIII of 1850.

Their Lordships think that there was no foundation for the suit. Mr. Clarke's action under the circumstances was quite justified. The charge of personal misconduct advanced and reiterated without any shadow of proof deserves the severest reprobation.

Their Lordships will therefore, humbly advise His Majesty that this appeal ought to be allowed, the Order of the Court of Appeal discharged, and the suit dismissed with costs in both Courts.

The respondent must pay the costs of the appeal.

No. 16.

A servant of the holder of a gun-license who is merely carrying it to a Magistrate with the expiring license for renewal thereof, but without any intention to use the gun, is not liable to conviction under section 19(f) of the Arms Act.—[*Queen-Empress versus Tola Ram* (I.L.R. 16, All. 276, and *Prabhat Chandra Chaudhuri versus Emperor* I.L.R., Cal., 219)] followed.

Charu Chandra Ghose versus Emperor (1913), (I.L.R. 41, Cal. 11.)

No. 17.

A charge of criminal conspiracy to manufacture arms under section 120B of the Penal Code read with section 19(a) of the Arms Act (XI of 1878) may be tried jointly with charges of offences under sections 19(f) and 20 of the Arms Act.

Joint trial for offences under section 120B, Indian Penal Code, and sections 19(f) and 20 of the arms Act.

the same transaction. Legal Remembrancer, Bengal, *versus* Mon Mohan Ray, 19 C. W. N. 672; 21 C. L. J. 195 followed. Where two persons rented a house and lived in it, and parts of arms were found in one of the rooms:—Held,

Joint possession of arms.

"Fire-arms" whether inclusive of parts of the same. Arms Act (XI of 1878), sections 4, 5, 14, 19(a), (c), 20.

that both being in joint occupation of the house were in joint possession of the articles so found. The word "fire-arms" in section 14 read with the meaning of "arms" in section 4 of the Arms Act includes parts of fire-arms. "Fire-arms" means only arms fired by gun-

powder or other explosives. Ahmed Hossein *versus* Queen-Empress (I. L. R. 27, Cal. 692), Emperor *versus* Dhan Singh (5 Cr. L.J. 435 ; 3 N.L.R. 53), followed.

The offence under sections 5 and 19(a) of the Arms Act is not a mere keeping of arms, but a keeping of the same for sale. In cases of conspiracy, the agreement between the conspirators cannot generally be directly proved, but only inferred from the established facts of the case where

Mere keeping of fire-arms is not an offence.

Proof of criminal conspiracy.

two persons took a house in which a considerable number of pieces of fire-arms was found with tools and implements, and work had been actually done to some of the parts of fire-arms, the court may and ought to infer a conspiracy to manufacture arms. *Percuriam*: where there is only a conspiracy to manu-

Punishment when act contemplated not done. Penal Code (Act XLV of 1860), sections 109, 116, 120B.

facture arms, without an actual manufacture, the sentence should be imposed under section 120B of the Penal Code read with section 19(a) of the Arms Act and section 116 of the Penal Code, and the maximum term of imprisonment awardable under these sections is 9 months' rigorous imprisonment. Per Beachcroft, J. The punishment awardable under section 120B of the Penal Code varies according as the offence has or has not been committed in consequence of the conspiracy. If an offence has been committed, the punishment is that provided by section 109 of the Penal Code, though, strictly speaking, there should not be a conviction in such cases of conspiracy but of abetment. If it has not been committed, the punishment is governed by section 116 of the Penal Code.

Harsha Nath Chatterjee *versus* Emperor [(1914) I. L. R. 42, Cal. 1153]

No. 18.

Where the petitioner having been in possession of a gun for some time made it over a year and a half ago to another person in whose possession the gun was without a license : held that the petitioner could not be convicted of an offence under section 19, clause (f), of the Indian Arms Act. The only person who can be punished under clause (f) is the person who has in his possession or under his control any arms in contravention of the provisions of sections 14 and 15. [Akhil Nath Dit *versus* Emperor (1910) 15 C. W. N. 440].

Person liable to punishment under section 19 (f).

No. 19.

The accused were charged (1) under section 14 of the Arms Act for having in their possession or under their control fire-arms, (2) under section 20 for having in their possession and control such arms in such a manner as to indicate the intention that such act might not be known to any public servant, (3) under section 120B, Indian Penal Code, read with section 19, clause (a), of the Arms Act for having conspired to manufacture or keep fire-arms in contravention of section 5 of the Arms Act.

Charges.

The finding on the third charge was that there was only a conspiracy to manufacture without an actual manufacture, and the Sessions Judge sentenced the accused on this charge to three years' rigorous imprisonment. Held that there was no misjoinder of charges. The offences charged were committed in the same transaction and section 239, Criminal Procedure Code authorises such charges to be tried together.

Joint trial of the aforesaid three charges.

That the term " fire-arms " as used in section 14 of the Arms Act means arms that are fired by means of gunpowder or other explosives and includes parts of fire-arms.

Fire-arms defined.

That the only additional element necessary to constitute an offence under section 20 is that the possession should be in such a manner as to indicate an intention that such act may not be known to any public servant.

Possession of arms intending to conceal it from public servant.

That the offence under section 19, clause (a), of the Arms Act is keeping arms for sale and not keeping only. [Khagendra Nath Chaudhuri and another *versus* King-Emperor, 19 C. W. N., 706].

Keeping arms only is not an offence.

C.—APPENDICES.

Close season for shooting.—[See condition 10 to Form XVI, Chapter II.]

(Summary of the restrictions on shooting outside reserved forests.)

The Local Administration has prescribed the following close times for the wild birds and animals specified in the schedule:—

SCHEDULE.

Species.	Close time.	Government order.
1	2	3
I.—WILD BIRDS.		
<p>Hen florican, Poacher, Herons, Egrets, rollers, Kingfishers, Hoopoe, Rufous short-toed Lark or Otolan, Black Drongo or King Crow, Jungle Babbler or Seven Sisters, Black-headed Oriole, Mynahs of all species, Common Hawk Cuckoo, Wood-Peckers of all species, Bhimraj, Bee-eaters and Marabou Crane.</p>	The whole year.	
<p>Sparrow, Finch, Tit, Wren, Pied wag tails, Bluejay, Fly catcher, Honey sucker, Raja and Rani, Bulbul, Starlings, Thrushes, Magpie, Robin and Laibu.</p>		
Peacock 	The whole year, except in the district of Goalpara where the close time shall be from 1st March to 30th September.	Local Administration's Notifications No. 2140R. and No. 2141R., dated the 18th May 1914, and No. 3236R., dated the 4th August 1914.
Pigeon 	From 1st March to 16th June.	

* Applies only in the Khasi and Jaintia Hills.

C.—APPENDICES—*contd.*SCHEDULE—*contd.*

Species.	Closure time.	Government order.
1	2	3
I.—WILD BIRDS—<i>concl.</i>		
Jungle fowl and Pheasant ...	From 1st March to 30th September.	Local Administration's Notifications No. 428R., dated the 29th January 1917, and No. 5846F., dated the 25th June 1920.
Cock florican, Black partridge, Swamp partridge and Quail.	From 1st April to 30th September.	
Duck and Teal ...	From 15th April to 30th September.	Local Administration's Notifications No. 2140R. and No. 2141R., dated the 13th May 1914.
II.—WILD ANIMALS.		
Rhinoceros ...	The whole year ...	Local Administration's Notification No. 2140R., dated the 18th May 1914 and Notification No. 1277R., dated the 28th May 1921.
Male deer without horns or with horns in velvet ...		
Females (other than female hares) and immature males of the undermentioned species.		
Antelopes (serow, takin and goral), bison (a) mithan, buffalo, (a) Deer and Hares.	From 1st June to 31st October.	
Bison and buffalo in North Cachar Hill subdivision.	The whole year ...	Local Government Notification No. 518R., dated the 10th March 1924.
Swamp and Hog deer ...	At all times except when they have full heads.*	Local Administration's Order No. 2221R., dated the 29th June 1916.
Swamp deer in the Darrang district.	The whole year ...	Local Government Notification No. 689R., dated the 4th March 1922.

* Applies only within the areas under the control of the Darrang Game Association in the case of members of it at Association.

(a) Except in the North Cachar Hill Division.

RULES FOR THE REGULATION OF SPORT IN RESERVED FORESTS* (cf. CHAPTER 9 OF THE ASSAM FOREST MANUAL).

1. The killing of fish by the use of nets, traps, explosives or poison is absolutely prohibited.

2. The following close seasons are prescribed :—

Species.	Close time.
1	2
<i>I.—Wild Birds.</i>	
Duck	From the 15th April to the 30th September.
Hon florican	The whole year.
Cook florican	From the 1st April to the 30th September.
Black partridge	Ditto ditto.
Swamp partridge	Ditto ditto.
Jungle fowl	From 1st March to 30th September.
Peacock	The whole year except in the district of Goalpara where the close time shall be from the 1st March to the 30th September.
Peahen	The whole year.
Pheasant	From the 1st March to the 30th September.
Pigeon	From the 1st March to the 15th June.
Quail	From the 1st April to the 30th September.
Herons, egrets, rollers and kingfishers ...	The whole year.
Teal	From the 15th April to the 30th September.
Hoopoe, Rufous short-toed Lark or Ortolan, Black Drongo or King Crow, Jungle Babbler or Seven Sisters, Black-headed Oriole, Myiophobus of all species, Common Hawk, Cuckoo, Wood-peckers of all species, Bhimraj and Bee-eaters.	The whole year.
Marabou crane	The whole year.

* A sam Administration Notification No. 1344E., dated the 20th March 1915.

RULES FOR THE REGULATION OF SPORT IN RESERVED FORESTS.*

Species.	Close time.
1	2
<i>II.—Wild Animals.</i>	
Antelopes (serow, takin and goral) ...	} From the 1st June to 31st October.
Bison (mithan) }	
Buffalo } Except in North Cachar Hills.	
Deer, Hares	
Females, other than female hares, and immature males of the above species, hornless deer and deer with horns in velvet, rhinoceros except with the special sanction of the Chief Commissioner, when the latter is satisfied that rhinoceroses have become plentiful in any locality.	The whole year.
Bison and Buffaloes in North Cachar Hill.	The whole year.

*The killing or trapping of any of the above within the close season prescribed in each case is prohibited.

3. Hunting, shooting, trapping or fishing within a reserved forest is prohibited except by a permit-holder and subject to the provisions of Rules 1 and 2. In the case of hunting or shooting in reserved forests of game, the shooting of which is not prohibited under Rules 7 and 8, this permit will be granted by the Divisional Forest Officer in Form A appended and subject to the conditions specified in these rules and to those printed on the permit and on payment of the following fees :—

	Rs.
Non-residents of Assam	50
Residents of Assam outside the district in which the forests are situated.	30
Residents of the district	20

Provided that for reasons to be recorded in writing the Divisional Forest Officer may in any case decline to issue a permit.

4. In addition to the permit fee mentioned in rule 3 the following fee is payable for animals hereinafter mentioned killed by the permit-holder :—

Animal.					For the 1st animal killed.	For the 2nd and every subsequent animal killed under the same permit.
1					2	3
					Rs.	Rs.
Buffalo	...	...	...	...	10	20
Bison	...	...	...	...	5	10

Provided that by order of the Local Administration, these fees may be reduced if game is plentiful or causes injury to crops in the vicinity of the forest.

5. In the case of fishing the permit under rule 3 will be in Form B appended and be subject to the conditions printed on it and be issued on payment of the following fees :—

	Rs.
For one day	1
For one month	10
For two months	20
For one season	30

6. Gazetted Forest officers of the Assam Commission and gazetted officers of the Assam Police and of the Survey of India and of the Public Works Department, Assam, when travelling on duty are exempted from taking up the permits referred to in Rules 3 and 5, but are bound by Rules 1 and 2 and by any orders issued under Rule 10.

7. The Conservator of Forests may, subject to the previous approval of the Chief Commissioner, declare any reserve forest or portion thereof to be a sanctuary. In such sanctuaries hunting, shooting or trapping is altogether prohibited, except under special permits which may be granted by the Conservator to approved sportsman for the exclusive purpose of hunting and killing carnivorous animals. Permits for fishing may be granted, with the previous sanction of the Conservator of Forests, by Divisional Forest Officer in Form B, and on payment of the fees prescribed in Rule 5.

8. The Conservator of Forests may, with the previous approval of the Chief Commissioner, declare any reserved forest or portion thereof to be a sanctuary for the purpose of protecting particular kinds of game. Shooting of other game in the second class sanctuary may be allowed on permits in Form A which may be granted by the Divisional Forest Officer. A list of forests closed under this and the preceding rule shall be published in the *Assam Gazette* on or in the 1st issue after the 1st October in every year, and copies shall be displayed for public information in the offices of the Deputy Commissioners and Divisional Forest Officers of different districts.

9. At the time a permit is taken out, a declaration shall be made by the permit-holder as to the animals, other than carnivorous, which he desires to shoot.

10. If the permit fixes a limit to the number of animals to be killed, the permit-holder shall be bound by such limit.

11. If any person infringes any of the above rules or any of the conditions of his permit, he will be punishable under section 24 of the Assam Forest Regulation (VII of 1891).

PERMIT A.

Permit to hunt and shoot granted under Rules 3 and 8.

(Obverse.)

<i>Counterfoil.</i>		
No.	dated	
Name of permit-holder—		Duplicate for Range Officer.
Status—		Triplicate for permit-holder.
Fee paid for license—		
Names of followers—		
Period for which valid—		
From	to	
Name of forest or portion thereof for which the permit is granted, with boundaries thereof—		

(Reverse.)

(1) The maximum number of the following animals that may be shot under this permit is :—

Name.				Number.	Fee paid under Rule 4 of these Rules.
Buffalo		
Bison		

2. Name of forest guard accompanying the party with rate of pay—
Name _____

Pay Rs.

per mensem.

(3) The holder of this permit shall observe the following close season :—

Species.	Close time.
1	2
<i>I.—Wild Birds.</i>	
Duck	From the 15th April to the 30th September.
Hen florican	The whole year.
Cock florican	From the 1st April to the 30th September.
Black partridge	Ditto ditto.
Swamp partridge	Ditto ditto.
Jungle fowl	From the 1st March to the 30th September.
Peacock	The whole year except in the district of Goalpara, where the close time shall be from the 1st March to the 30th September.
Phehen	The whole year.
Pheasant	From the 1st March to the 30th September.
Pigeon	From the 1st March to the 15th June.
Quail	From the 1st April to the 30th September.
Herons, egrets, rollers and kingfishers ...	The whole year.
Teal	From the 15th April to the 30th September.
Hoopoe, Rufous, short-toed Lark or Ortolan, Black Drongo or King Crow, Jungle Babbler or Seven Sisters, Black-headed Oriole, Mynah of all species, Common Hawk, Cuckoo, Wood-peckers of all species, Bhimraj and Bee-eaters.	The whole year.
Marabou Crane	The whole year.
<i>II.—Wild animals.</i>	
Antelope (serow, takin and goral) ...	} From the 1st June to the 31st October.
Buffalo	
Bison (mithan) }	
Deer, hares	

Species.	Close time.
1	2
Females other than female hares, and immature males of the above species, hornless deer and deer with horns in velvet. Rhinoceros except with the special sanction of the Chief Commissioner, when the latter is satisfied that rhinoceroses have become plentiful in any locality.	The whole year.
Bison and Buffaloes in North Cachar Hills	Ditto.

The killing or trapping of any of the above within the close season prescribed in each case is prohibited.

(4) The holder of this permit shall camp only on such regular camping grounds as may have been set apart by the Divisional Forest Officer or in places specially pointed out to him by a Forest Officer.

(5) This permit may be cancelled at any time by order of the Divisional Forest Officer. A breach of the Forest Regulation or of any rules made under that Regulation, if committed by the holder of this permit or any of his retainers or followers, shall render the permit liable to cancellation. Permits are liable to be declared invalid in regard to any particular forest in case of fire breaking out in any part of that forest.

(6) The holder of this permit is not exempted from liability under the Forest Regulation or any other law for anything done in contravention of such Regulation or law or for any damage caused by him, his retainers or followers.

(7) The holder of this permit may not enter any reserved forest without previously giving 24 hours' notice to the nearest Forest Officer.

(8) The holder of this permit shall pay the pay of a forest guard as entered in condition 2 of this permit, who will accompany him and his camp during the time he is within the limits of reserved forests. The duty of the forest guard is to see that none of the forest rules is infringed by the holder of this permit or his followers.

(9) This permit is non-transferable.

(10) Wounded game may be followed into another portion of this forest than that to which this permit applies.

FORM B.

Permit to fish granted under Rules 3 and 5.

-Fee Rn.

(Obverse.)

Permit to fish by rod and line only in the undermentioned rivers within the boundaries specified below under Rules 3 and 5 of the Rules for the regulation of sport in reserved forests issued under the Chief Commissioner's Notification No. 18442E., dated the 26th March 1915, subject to the conditions specified on the reverse.

(a) To

(b) Of

The day of 19 . **Signature and designation
of officer granting the permit.**

(Reverse.)

The killing of fish by the use of nets, explosives or poison is absolutely prohibited.

2. The holder of this permit is not permitted to shoot or to carry firearm within the forest specified in the Schedule below.

Schedule of Boundaries.

A. Schedule XL (A), Part I, Form No. 208.

Sale verification slip.

FROM SUPERINTENDENT OF POLICE, DISTRICT.

TO SUPERINTENDENT OF POLICE, DISTRICT.

No.

Date of issue—

Please verify the following sales :—

Date of sale.	Name and address of seller.	Name and address of purchaser.	Description. (Give marks, number, bore and maker's name.)	VERIFICATION REPORT. [Here state whether the purchaser was duly verified or not traced, whether he was not licensed or not exempt, whether proceedings have been taken against him under the Arms Act and whether proceedings against the seller are recommended.]
1	2	3	4	5

Signature _____

Date of return _____

A. Schedule LIX, Part I, Form No. 49.

Stock-Book to be kept by all persons licensed to manufacture or deal in Arms and Ammunition under Section 17, Act XI of 1878 (Arms Act).

Register No.	Date of entry.	ARTICLE.			Whether purchased within the Province, or imported from any other Province.	If imported, number and date of pass under which imported.	If purchased, from whom, and date of purchase.
		Nature (Specification of arms or ammunition, whether gun, rifle, sword, caps, gunpowder, etc.)	Description (Distinguishing marks, maker's name, etc.)	Quantity.			
1	2	3	4	5	6	7	8

A. Schedule XL(A), Part I, Form No. 203.

Quarterly Return of Inspection of arms and ammunition shops in the district of _____ for the quarter ending the _____

Name of shopkeeper and locality of shop.	Police station.	Date of inspection by			Result of inspection.
		Superintendents of Police, Assistant Superintendents of Police or Deputy Superintendents of Police.	Inspectors.	Sub-Inspectors.	
1	2	3	4	5	6

A. Schedule XL(A), Part I, Form No. 203.

Quarterly Return of Inspection of arms and ammunition shops
in the district of for the quarter ending the

Copy forwarded to the Inspector-General of Police, Assam.

Superintendent of Police.

A. Schedule LIX, Part I, Form No. 54.

SUPPLEMENT TO STATEMENT A.

Showing the number of fire-arms held without license by exempted persons under Schedule I to the Indian Arms Rules during the year 19 . . .

District.	Number of fire-arms held without license.						Remarks.
	Muzzle-loaders.	Breech-loaders, rifled.	Breech-loaders, not rifled.	Revolvers.	Pistols.	Total.	
1	2	3	4	5	6	7	8
Grand total	...	...	...	...	...	...
Total for 19 . . .	...	...	...	...	...	...
Total for 19 . . .	...	...	...	...	...	...

YEAR 192 .

Return showing the amount of arms and ammunition sold to the public by licensed dealers in each district in Assam and also the amount of arms and ammunition purchased by the public in each district from outside the province.

STATEMENT B.

Districts.	Arms.			Shot gun ammunition.					Ammunition for rifles.		Ammunition for revolvers and pistols.			Remarks.
	Shot guns.	Rifles.	Revolvers and pistols.	Gunpowder in lbs.	Caps.	Filled Cartridges.	Sulphur.	Saltpetre.	Number of cartridges.	Quantity of each kind of bore.	Number of cartridges.	Quantity of each kind of bore.	Quantity of each kind of bore.	
1	2	2	4	15	6	7	8	9	10	11	12	13	14	15

A. Schedule LIX, Part I, Form No. 53.

C.

Statement showing the results of prosecutions and confiscations under the various sections of the Arms Act during 19 .

District and subdivision.	Section of Arms Act.	Number of cases brought to trial.	Number of persons tried.	Number of persons convicted.		Number of persons discharged or acquitted.	Number of guns confiscated.	Remarks.
				Imprisoned.	Fined.			
1	2	3	4	5	6	7	8	9
Grand total	...							
Total for 19 .	...						
Total for 19 .	...						

Instructions :—

(1) Results of prosecutions and confiscations under the various sections of the Arms Act during the year are to be shown separately under each section, a total under all sections being made for each subdivision. In the figures for districts and divisions, prosecutions and confiscations under different sections of the Act need not be shown separately, but only the total for each district and division.

**A.—REGISTER OF ALL HOLDERS OF LICENSES TO
POSSESS OR TO CARRY ARMS.**

Register of applications under the Arms Act, vide Rule 4, Section II, Chapter IV.

Serial No.	Date of petition.	Name and residence of applicant.	Purport of petition.	If preliminary enquiry is made.			Final order and date.	Remarks.
				Date when sent for such enquiry and officer to whom sent.	Date of submission of report on enquiry.			
1	2	3	4	5	6	7	8	

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